S1903-1-U

Fifteenth Annual Report on the Work of the Georgia Courts FY 1988

(July 1, 1987 – June 30, 1988)

Contents

The Courts in Review: FY 1988	1
Supreme Court	7
Court of Appeals	9
Superior Courts	10
State Courts	14
Juvenile Courts	15
Probate Courts	19
Magistrate Courts	23
Other Courts	26
Judicial Agencies	27
Judicial Council/Administrative Office of the Courts	27
Board of Court Reporting	31
Council of Juvenile Court Judges	32
Council of Superior Court Judges	34
Georgia Indigent Defense Council	34
Georgia Magistrate Courts Training Council	35
Institute of Continuing Judicial Education	36
Judicial Administrative Districts	38
Judicial Nominating Commission	39
Judicial Qualifications Commission	39
Superior Courts Sentence Review Panel	41
Appendix I: Judicial Personnel Changes	42

February 1989

Judicial Council of Georgia
Administrative Office of the Courts
Suite 550
244 Washington Street, SW
Atlanta, Georgia 30334

The Fifteenth Annual Report on the Work of the Georgia Courts is published by the Judicial Council of Georgia/Administrative Office of the Courts in compliance with OCGA §15-5-24 and by Order of the Supreme Court of Georgia dated June 12, 1978.

All rights reserved.
Inquiries for use of any material should be directed to:
Senior Communications Officer, Administrative Office of the Courts of Georgia

Judicial Council of Georgia

January 1989

Chief Justice Thomas O. Marshall
Chairman
Supreme Court
Atlanta

Presiding Justice Harold G. Clarke
Vice Chairman
Supreme Court
Atlanta

Judge Nancy K. Aspinwall
President
Council of Probate Court Judges
Hinesville

Chief Judge George H. Carley
Court of Appeals
Atlanta

Judge John D. Crosby
Administrative Judge
Second District
Tifton

Judge Joe C. Crumbley
Administrative Judge
Sixth District
Jonesboro

Judge James E. Findley
Administrative Judge
First District
Reidsville

Judge William M. Fleming, Jr.
Administrative Judge
Tenth District
Augusta

Judge Hilton Fuller
President
Council of Superior Court Judges
Decatur

Judge George W. Harris
First Vice President
Council of Magistrate Court Judges
Ft. Valley

Judge Ralph H. Hicks
Administrative Judge
Fifth District
Atlanta

Judge Walker P. Johnson, Jr.
Administrative Judge
Third District
Macon

Judge Eugene E. Lawson
First Vice President
Council of Probate Court Judges
Jonesboro

Judge Hugh Lawson
Administrative Judge
Eighth District
Hawkinsville

Judge T. Jefferson Lottiss, II
President
Council of Juvenile Court Judges
Thomasville

Judge Charles B. Mikell, Jr.
President-elect
Council of State Court Judges
Savannah

Judge Alan F. Pilcher
President
Council of Magistrate Court Judges
Gainesville

Judge John W. Sognier
Court of Appeals
Atlanta

Judge Robert B. Struble
Administrative Judge
Ninth District
Toccoa

Judge Curtis V. Tillman
Administrative Judge
Fourth District
Decatur

Judge Herbert Wells
President-elect
Council of Juvenile Court Judges
Perry

Judge Watson L. White
Administrative Judge
Seventh District
Marietta

Judge Thomas D. Wilcox, Jr.
President-elect
Council of Superior Court Judges
Macon

Judge Anne Workman
President
Council of State Court Judges
Decatur

Foreword

This *Fifteenth Annual Report on the Work of the Georgia Courts*, prepared by the Administrative Office of the Courts, is issued pursuant to the requirement of Ga. Laws 1973, p. 288, and by Order of the Supreme Court of Georgia dated June 12, 1978.

The state of the Georgia judiciary is excellent and continues to improve as it responds to the challenges of new developments in the law and making justice more speedily available to our citizens. Substantial progress is being made to reduce the time lag between the initiation of a lawsuit or an indictment and its final disposition, even though in 1987 our superior courts experienced an increase in caseload of 40 cases for each judge.

At mid-year, I was privileged to make a report to a joint session of the 1988 General Assembly as a result of the first invitation extended by the legislative branch to the judicial branch in several years. It is hoped that address signified an increased interest by the legislature in the affairs of the judiciary and that a spirit of cooperation as to the professional needs of each branch is evolving.

Enactments by the legislature are helping our judges to manage their rising caseloads. The General Assembly granted funds to the Court of Appeals for a pre-appeal settlement program which provides an opportunity for litigants to voluntarily resolve issues remaining after trial and prior to appeal. The legislature allocated funds toward the establishment of the Georgia Appellate Practice and Educational Resource Center to provide legal representation in post-conviction actions for indigent inmates sentenced to death. Legislative action gave the judiciary two additional superior court judges and one state court judge in 1988. Other improvements are enactments of domestic violence laws, tort reform and driving under the influence laws.

Computer use continues to expand in our courts. Jury management and record indexing have replaced word processing and financial accounting as the most common applications, and more and more courts are using computerized case docketing. Leaders among our superior court judges and clerks have developed software standards for the computerization of functions under uniform record keeping requirements. A recent legislative act has authorized the establishment of a computer system, contingent upon funding, through which all superior court clerks can make direct inquiries to the Secretary of State concerning corporate matters. This same system also can be used as a network connecting all 159 of these clerks' offices as well as linking them with the Administrative Office of the Courts.

This annual report is presented to inform the Governor, the General Assembly and the public of judicial branch activities carried out in response to the varied duties and responsibilities with which the courts, their officials and administrative agencies are charged. Readers are invited to review the following pages to observe ongoing improvement in the administration of justice in Georgia.

Thomas O. Marshall
Chairman
Judicial Council of Georgia

Filing and disposition figures included in this report cannot, and should not, be considered a complete measurement of judicial work load borne by any given judge in any given court. While more detailed case types and disposition methods may represent more accurately the amount of judicial time required of judges in processing their caseloads, statistics alone cannot describe the relative contributions by various members of the judiciary in the performance of their official duties, nor are they indicative of the effort a judge has put forth or of the hours he or she has spent in performing the duties of his or her office.

For example, a judge might spend a week or more presiding over a felony case in which the death penalty is sought. In that same week another judge might hear dozens of uncontested divorces, traffic cases, or minor civil cases without a jury. In the first example, the judge will dispose of only one case, while the second judge disposes of dozens of cases. Both judges, however, may have expended the same amount of time and effort, and both have performed duties of his or her office and provided required judicial services for the citizens of Georgia. Therefore, this report should not be used to evaluate or compare judicial performance.

The Courts in Review: FY 1988

Georgia judges and court officials at every level joined forces in FY'88 to confront the issue of court delay and problems associated with reducing the time a case is in the court system. State trial judges' representatives met as a conclave for the first time in March 1988 to discuss concerns common among their five classes of courts. A meeting of the State-Federal Judicial Council, attended by 39 trial and appellate judges from the two court systems, was held in June to provide a forum for the exchange of information and to seek greater uniformity in procedural matters.

In addition, a "supercommittee" on uniform court rules also met in June to devise a rule to resolve calendar conflicts when attorneys have cases in more than one court. All three of these groups made plans to convene in the future for further discussions.

In his state of the judiciary address to a joint session of the 1988 General Assembly in January, the first speech before that branch in several years, Chief Justice Thomas O. Marshall noted the judiciary's efforts to reduce backlog and to handle increases in litigation. From 1986 to 1987, Supreme Court dispositions increased by more than 12 percent. The Court of Appeals continued to deal promptly with its cases even though faced with the second highest caseload in its history.

In the past decade, there has been a 25 percent reduction in the total number of pending civil and criminal cases in the superior courts, despite a 50 percent increase in case filings. Limited jurisdiction courts are attempting to maintain high disposition rates as more and more demands are made on county resources.

In his report to the legislature, the Chief Justice appealed to the legislature to support and cooperate with the state's judicial branch in facing the magnitude of current-day litigation. By the end of the 1988 session, it was clear there had been a positive response to his request. The General Assembly approved measures creating additional manpower slots both on the circuit and county levels for jurisdictions encountering burgeoning caseloads. Both superior court judgeships recommended by the Judicial Council of Georgia were established--in the Appalachian and Stone Mountain judicial circuits--to take effect at the beginning of the 1989 fiscal year. A third judgeship was created for the State Court of Clayton County as well. The legislature also adopted a measure to abolish the State Court of Macon County at the end of 1988.

As the result of a Court of Appeals proposal pending from 1987, the legislature granted that court authority to establish by rule an appellate settlement conference procedure to ultimately reduce the number of appeals before the court. The voluntary, pre-appeal system, already operating in some form in 20 other states, utilizes retired appellate and superior court judges as settlement conference arbiters. Savings in litigants' resources and court time are expected consequences of the procedure's implementation.

The legislature reacted to a 1987 State Commission on Compensation recommendation on state judicial officials' salaries by providing a pay boost to appellate and superior court judges. The seven Supreme Court justices and nine Court of Appeals judges realized salary increases of 4 percent, while superior court judges received an increase of 5.4 percent.

In addition, the General Assembly raised the minimum salaries of chief magistrates by 50 percent. The minimum monthly salary for magistrates was also increased effective January 1, 1989, from $50 to $250.

Also, beginning January 1, 1989, periodic cost-of-living adjustments will be made to the minimum annual salaries paid to constitutional county officers, including probate court judges and superior court clerks. Legislative action tied these raises to cost-of-living increases received by employees in the classified service of the state merit system.

The General Assembly also approved new statutes providing for the creation of the Council of State Court Judges, the Council of Probate Court Judges and the Council of Magistrate Court Judges as separate agencies of the state.

The legislature also established the Commission on Children and Youth, which includes representatives of the Supreme Court, the Court of Appeals and the superior, state and juvenile court judges' councils. The commission will coordinate efforts and foster communication between providers of services to the state's children and young people and provide them with information about related policies and programs of the courts.

During the FY'88 session, the legislature enacted a comprehensive AIDS bill designed to strike a balance between protecting public health and preserving individual privacy and which conferred jurisdiction over cases seeking to compel individuals to undergo testing on the superior courts.

Another statute created the Georgia Crime Victims Compensation Board to hear and determine claims for crime victims assistance, with maximum awards of $1,000, and a proposed referendum authorizes the appropriation of funds for this purpose.

The legislature appropriated $150,000 as part of the Judicial Council's FY 1989 budget to partially fund the Georgia Appellate Practice and Educational Resource Center which will provide assistance with legal representation for indigent, death-sentenced inmates who pursue post-conviction remedies in the state and federal courts.

Formed under the 1984 Federal Child Support Enforcement Amendments (Public Law 98-378), the Governor's Commission on Child Support issued its Recommended Guidelines for Setting Child Support Awards. The guidelines, which became effective October 1, 1987, are intended to aid superior and juvenile court judges in determining consistent

State Appropriations for the Judicial Branch: Fiscal Years 1987, 1988 and 1989

Budget Unit Agency	FY 1987 Amended Appropriation	FY 1988 Amended Appropriation	Percent Change FY '87-88	FY 1989 General Appropriation	Percent Change FY '88-89
Supreme Court	$3,196,779	$3,654,950	14.3%	$3,779,608	3.4%
Court of Appeals	3,903,943	4,075,070	4.4%	4,364,874	7.1%
Superior Courts (Total)	30,602,026	33,548,469	9.6%	33,973,431	1.3%
Operations	29,100,167	31,956,205	9.8%	32,263,776	1.0%
Council of Superior Court Judges	68,895	71,399	3.6%	73,435	2.9%
Judicial Administrative Districts	737,526	735,289	0.3%	768,968	4.6%
Prosecuting Attorneys' Council	576,766	667,787	15.8%	747,652	12.0%
Sentence Review Panel	118,672	117,789	0.7%	119,600	1.5%
Juvenile Courts (Total)	227,544	289,331	27.2%	348,408	20.4%
Operations	0	0		0	
Council of Juvenile Court Judges	227,544	289,331	27.2%	348,408	20.4%
Institute of Continuing Judicial Education (Total)	318,334	467,268	46.8%	550,368	17.8%
Operations	280,000	376,250	34.4%	425,506	13.1%
Magistrate Courts Training Council	38,334	91,018	137.4%	124,862	37.2%
Judicial Council (Total)	708,215	774,675	9.4%	970,663	25.3%
Operations	566,668	629,565	11.1%	665,088	5.6%
Board of Court Reporting	23,047	25,110	9.0%	28,575	13.8%
Case Counting	69,000	70,500	2.2%	71,000	0.7%
Council of Magistrate Court Judges	20,000	20,000	0.0%	26,000	30.0%
Council of Probate Court Judges	20,000	20,000	0.0%	20,000	0.0%
Council of State Court Judges	9,500	9,500	0.0%	10,000	5.3%
Resource Center	0	0		150,000	
Judicial Qualifications Commission	105,292	106,000	0.7%	109,310	3.1%
Judicial Branch Totals	**$39,062,133**	**$42,915,763**	**9.9%**	**$44,096,662**	**2.8%**

Five-Year Comparison of Judicial Budget (1985–1989)

Fiscal year	Total state appropriation	Increase	Judicial appropriation	Increase	Percent of state budget
1985	$4,364,827,675	$403,998,116	$33,042,076	$3,032,038	0.76%
1986	5,225,947,058	861,119,383	36,376,436	3,334,360	0.70%
1987	5,412,225,000	186,277,942	39,062,133	2,685,697	0.72%
1988	5,936,113,339	523,888,339	42,915,763	3,853,630	0.72%
1989	6,254,000,000	317,886,661	44,096,662	1,180,899	0.71%

and equitable child support amounts in domestic relations actions.

The guidelines require Georgia judges to consider all appropriate factors, the needs of the child and the ability of the parents to contribute to the child's support in determining reasonable support payments.

In response to a 1986 legislative directive, the Council of Superior Court Judges completed a study of the use of restitution orders in child abuse cases and released an analysis of data compiled from Department of Corrections records. All superior court judges were provided with a copy of the legislature's resolution urging judges to consider ordering restitution in cases involving child and sexual abuse in order to assist the victim in obtaining needed medical care and therapeutic counseling.

The $44 million appropriated by the General Assembly to the judicial branch for FY 1989 amounted to a 2.8 percent increase over FY 1988 appropriations. The new appropriation included $518,261 to fund first-time programs or program enhancements: $187,500 to the Court of Appeals for implementation of a computerized docketing system developed jointly with the Supreme Court ($137,500) and for partial funding of the pre-appeal settlement conferences ($50,000); $150,000 for the Georgia Appellate Practice and Educational Resource Center, Inc., included in the budget for the Judicial Council; $72,000 to the Prosecuting Attorneys' Council for travel expenses of 15 additional investigators; $54,361 to replace federal funding for the Council of Juvenile Court Judges' Permanent Homes for Children in Georgia Program; $48,400 to the Institute of Continuing Judicial Education for an additional conference coordinator ($24,200) and for the Magistrate Courts Training Council ($24,200); and $6,000 to the Council of Magistrate Court Judges for publication of an educational newsletter.

The legislature declined to approve initial funds requested by the Georgia Indigent Defense council ($2.5 million), Executive Probate Judges Council ($8,400) and Superior Court Clerks Training Council ($8,400).

Judicial Branch Budget Units: FY'88 Funds Available and Expenditures

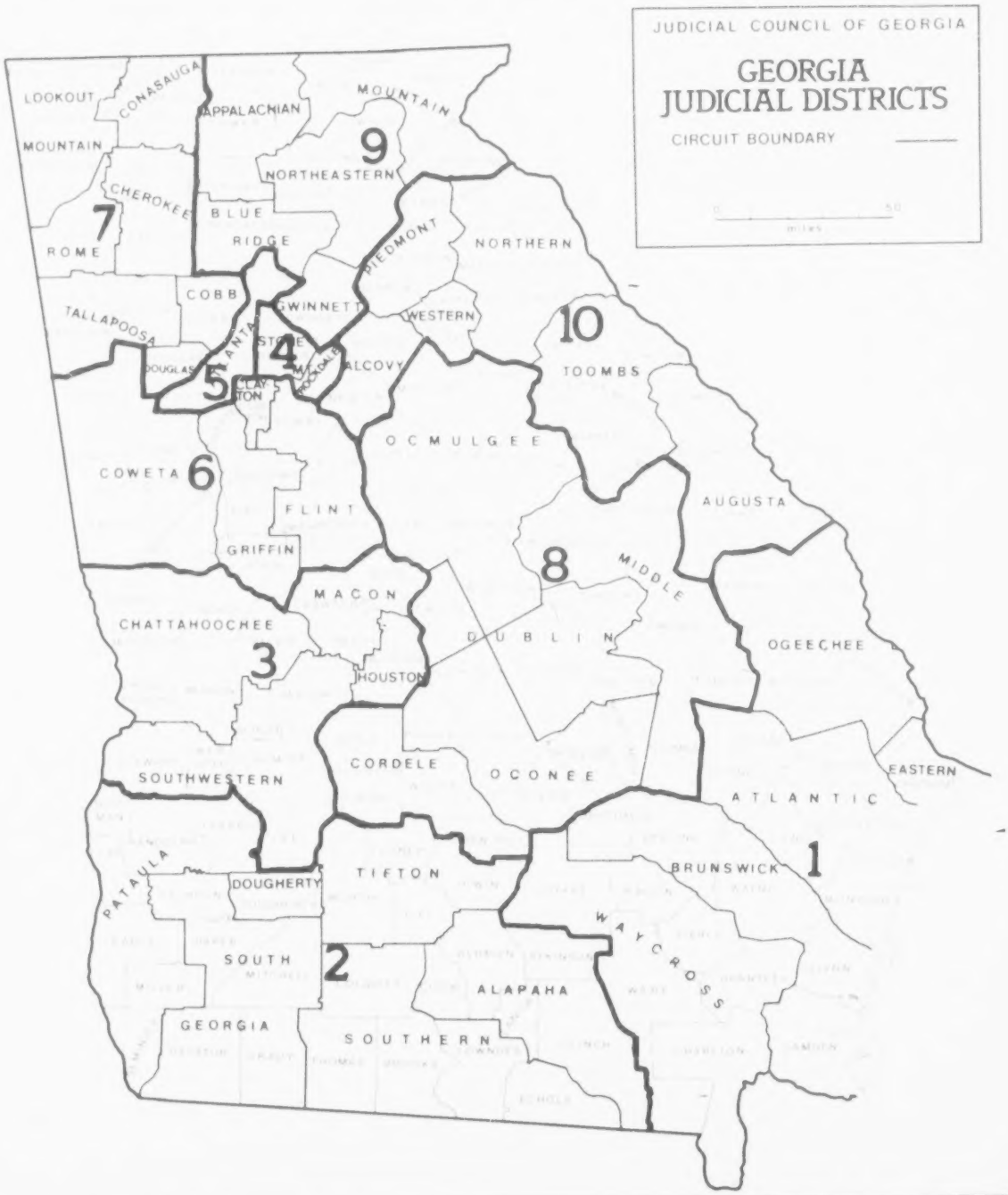
	Supreme Court	Court of Appeals	Superior Courts	Juvenile Courts	Institute of Continuing Judicial Education	Judicial Council	Judicial Qualifications Commission	Totals
FUNDS AVAILABLE								
General Appropriations	$3,654,950	$4,075,070	$33,298,469	$277,268	$467,268	$774,675	$106,000	$42,653,700
Supplemental Appropriations	0	0	250,000	12,063	0	0	0	262,063
Governor's Emergency Funds	5,000	1,200	145,000	10,000	0	0	0	161,200
Total State Funds	3,659,950	4,076,270	33,693,469	299,331	467,268	774,675	106,000	43,076,963
Federal Funds	0	0	199,707	325,060	15,320	23,398	0	563,485
Other Funds	391,618	66,839	602,690	41,498	9,796	30,113	0	1,142,554
Total Funds Available	**$4,051,568**	**$4,143,109**	**$34,495,866**	**$665,889**	**$492,384**	**$828,186**	**$106,000**	**$44,783,002**
EXPENDITURES								
Personal Services	$2,906,146	$3,709,601	$32,851,917	$253,504	$ 0	$537,699	$61,076	$40,319,943
Regular Operating Expenses	263,788	101,024	516,674	234,366	62,605	40,631	11,273	1,230,361
Travel	31,449	21,663	495,714	22,241	0	12,658	1,367	585,092
Publications and Printing	112,153	20,875	25,953	6,771	48,450	59,429	245	273,876
Equipment Purchases	72,370	54,805	48,666	7,206	4,608	5,644	0	193,299
Computer Charges	194,624	3,833	44,590	55,892	35,373	20,319	0	354,631
Real Estate Rentals	238,446	184,525	73,692	8,250	0	28,785	968	534,666
Telecommunications	27,102	27,520	34,683	6,135	79	8,316	1,049	104,884
Per Diem, Fees & Contracts	201,619	18,965	337,680	70,406	341,247	104,631	13,901	1,088,449
Total Expenditures	**$4,047,697**	**$4,142,811**	**$34,429,569**	**$664,771**	**$492,362**	**$818,112**	**$89,879**	**$44,685,201**

The judiciary's share of the entire state budget fell from 0.74 percent in the FY 1988 general appropriation to 0.71 percent in FY 1989.

Supplemental funds were awarded by the General Assembly to judicial branch agencies for the 1988 fiscal year for two superior court judgeships and to replace federal funds for the Permanent Homes for Children project.

Advances continued to be made in applying computer technology to the needs of the court system. The development of a new generation of powerful but relatively inexpensive minicomputers and the marketing of software packages specifically designed for use in Georgia courts have played a major role in the dramatic rise in computer usage by all types of courts.

Automated equipment in the Supreme Court can maintain an indexed data base of opinions and



permits access to national electronic law libraries. By the end of FY'88, the Court of Appeals had finalized the design of its computerized docketing system, expecting to be fully operational by January 1, 1989.

There has also been rapid growth in the number of superior courts in less populated counties that now use computers to manage court operations, including docketing, calendering and jury management.

Superior courts in five counties and two judicial circuits received 1987 federal block grants from the U. S. Bureau of Justice Assistance, disbursed through the Governor's Criminal Justice Coordinating Council. The funds are designated for installation of computerized criminal case management systems. These courts included the Blue Ridge Judicial Circuit, $12,046; the Superior Court of Bulloch County, $22,758; the Superior Court of Camden County, $15,672; the Superior Court of Clay County, $9,137; the Northern Judicial Circuit, $8,379; the Superior Court of Terrell County, $16,042; and the Superior Court of Whitfield County, $31,230.

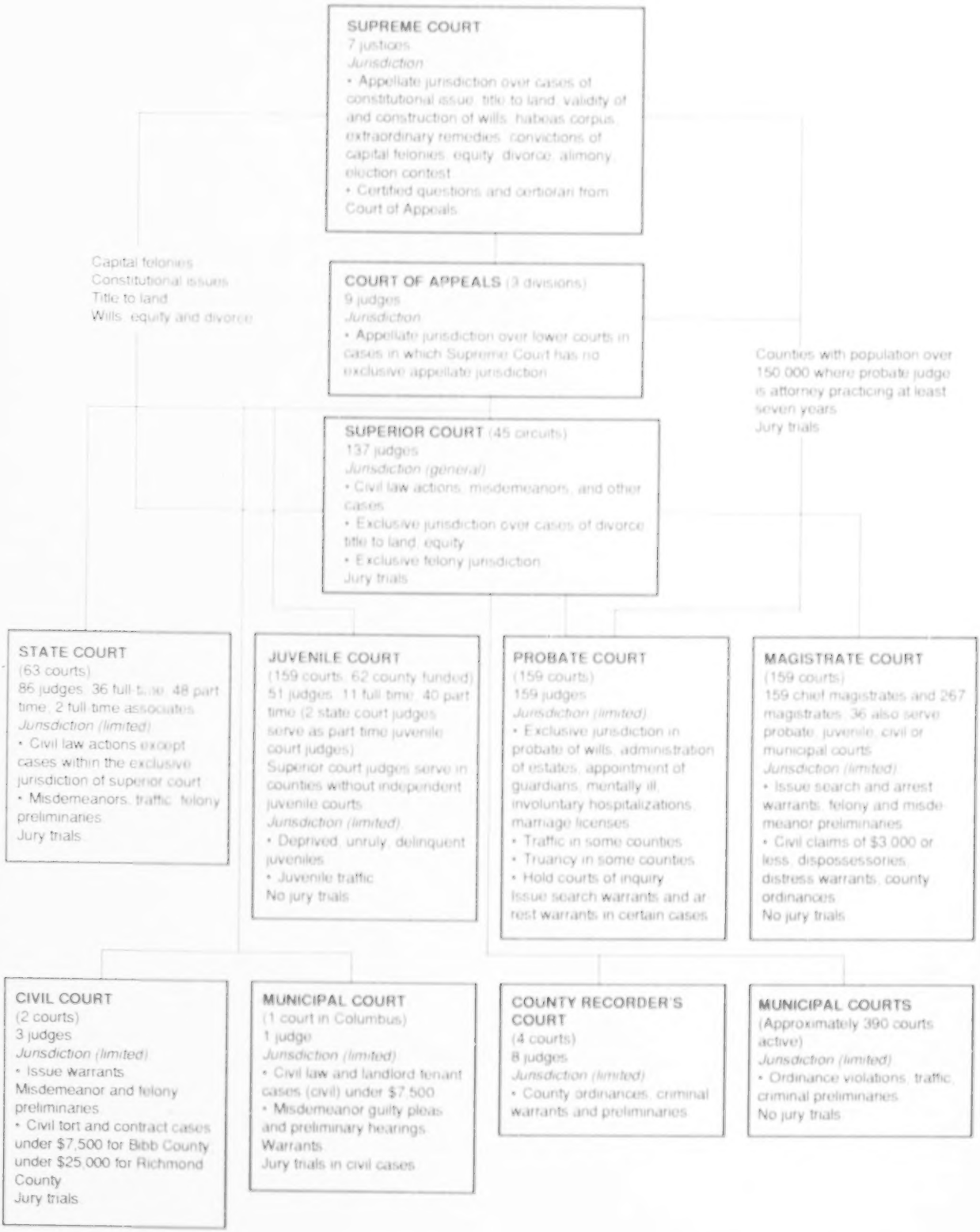
In addition, the superior courts in Bibb and Morgan counties received grants of $2,500 and $14,074, respectively, to expand automated systems already operational in FY'88. The State Court of Fulton County combined a $12,700 award with county matching funds to set up a case management system.

In December 1987, the Supreme Court established a continuing education requirement for state court judges by approving Rule 43 of the Uniform Rules for the State Courts. The new rule mandates that every state court judge, including retired and part-time judges who serve more than 30 days a year, attend at least 24 hours of judicial and/or legal education courses accepted for credit by the Institute of Continuing Judicial Education every two years.

Each of the two appellate courts and the five trial courts now has a continuing training requirement for its judges.

Also during the past year, the 10 district administrative judges voted to transfer the Conasauga Judicial Circuit from the Ninth to the Seventh Judicial Administrative District. The change in district boundaries was the result of a request from the circuit's chief judge to more reasonably conform to the geography of the district.

Georgia Court System: July 1, 1988


SUPREME COURT
7 justices
Jurisdiction
• Appellate jurisdiction over cases of constitutional issue, title to land, validity of and construction of wills, habeas corpus, extraordinary remedies, convictions of capital felonies, equity, divorce, alimony, election contest
• Certified questions and certiorari from Court of Appeals
Capital felonies
Constitutional issues
Title to land
Wills, equity and divorce
COURT OF APPEALS (3 divisions)
9 judges
Jurisdiction
• Appellate jurisdiction over lower courts in cases in which Supreme Court has no exclusive appellate jurisdiction
Counties with population over 150,000 where probate judge is attorney practicing at least seven years
Jury trials
SUPERIOR COURT (45 circuits)
137 judges
Jurisdiction (general)
• Civil law actions, misdemeanors, and other cases
• Exclusive jurisdiction over cases of divorce, title to land, equity
• Exclusive felony jurisdiction
Jury trials
STATE COURT
(63 courts)
86 judges: 36 full-time, 48 part-time, 2 full-time associates
Jurisdiction (limited)
• Civil law actions except cases within the exclusive jurisdiction of superior court
• Misdemeanors, traffic, felony preliminaries
Jury trials
JUVENILE COURT
(159 courts: 62 county funded)
51 judges: 11 full-time, 40 part-time (2 state court judges serve as part-time juvenile court judges)
Superior court judges serve in counties without independent juvenile courts
Jurisdiction (limited)
• Deprived, unruly, delinquent juveniles
• Juvenile traffic
No jury trials
PROBATE COURT
(159 courts)
159 judges
Jurisdiction (limited)
• Exclusive jurisdiction in probate of wills, administration of estates, appointment of guardians, mentally ill, involuntary hospitalizations, marriage licenses
• Traffic in some counties
• Truancy in some counties
• Hold courts of inquiry
Issue search warrants and arrest warrants in certain cases
MAGISTRATE COURT
(159 courts)
159 chief magistrates and 267 magistrates; 36 also serve probate, juvenile, civil or municipal courts
Jurisdiction (limited)
• Issue search and arrest warrants; felony and misdemeanor preliminaries
• Civil claims of $3,000 or less; dispossessories, distress warrants; county ordinances
No jury trials
CIVIL COURT
(2 courts)
3 judges
Jurisdiction (limited)
• Issue warrants
Misdemeanor and felony preliminaries
• Civil tort and contract cases under $7,500 for Bibb County, under $25,000 for Richmond County
Jury trials
MUNICIPAL COURT
(1 court in Columbus)
1 judge
Jurisdiction (limited)
• Civil law and landlord-tenant cases (civil) under $7,500
• Misdemeanor guilty pleas and preliminary hearings
Warrants
Jury trials in civil cases
COUNTY RECORDER'S COURT
(4 courts)
8 judges
Jurisdiction (limited)
• County ordinances, criminal warrants and preliminaries
MUNICIPAL COURTS
(Approximately 390 courts active)
Jurisdiction (limited)
• Ordinance violations, traffic, criminal preliminaries
No jury trials

Supreme Court

As Georgia's ultimate court of review, the Supreme Court exercises exclusive appellate jurisdiction over cases that involve the interpretation of the constitutions of both the state of Georgia and the United States, as well as treaties between the United States and foreign governments. The court also has constitutionally authorized power to render the final decision in the state in cases involving (1) imposition of a sentence of death by a superior court, (2) contested elections, (3) validity or construction of wills, (4) equity, (5) land titles, (6) habeas corpus, (7) extraordinary remedies (mandamus, prohibition, quo warranto, etc.) and (8) divorce and alimony.

The court also reviews cases transferred from the Court of Appeals by certiorari and decides questions certified to it by that court. In addition, the court answers questions of law from any state or federal appellate court.

Three terms of court, which begin in September, January and April, are held each year. No oral arguments are heard in August or December. In most instances, cases are decided and judgments given during the term in which they were accepted. The state constitution requires that cases must be disposed by the end of the second term of court after filing; otherwise, the judgment of the lower court is affirmed by operation of law. No case has been decided this way in the court's history.

Cases are assigned in rotation to the seven justices for preparation of opinions. After writing an opinion, the justice circulates it to the entire court for study. Following a discussion en banc, the opinion is adopted or rejected by the majority of justices. In the event a justice is unable to serve or disqualifies himself from a case, the remaining justices appoint a substitute justice from a superior court to serve.

Although the court nearly always hears cases in Atlanta, it occasionally schedules sessions at other locations in the state such as at law schools in order to educate students in court operations. In April of 1987, the court held a one-day session at Mercer University in Macon.

Justices are elected to staggered six-year terms in nonpartisan, statewide elections. Any vacancies on the court are filled by gubernatorial appointment. To qualify for office as a justice, a person must have been admitted to the practice of law for seven years.

The justices elect from among their number a chief justice and a presiding justice, whose terms run for four years. As administrative head of the court, the chief justice presides over court conferences and oral arguments and serves as chairman of the Judicial Council, an administrative arm of the court. The presiding justice performs the duties of the chief justice in his absence and is vice chairman of the council.

Law assistants, who must be licensed attorneys, are appointed by each justice to help in the research and preparation of opinions. A court-appointed clerk, along with clerical assistants, provide support for the court in calendaring and caseload and records management. The court also appoints an official reporter of decisions, who publishes the opinions of the Supreme Court and Court of Appeals.

Since one of the powers invested in the Supreme Court is the authority to promulgate orders needed to carry out its jurisdiction, the court has directed several agencies to assist it in administrative matters. Among these are the Institute of Continuing Judicial Education, the Judicial Council/Administrative Office of the Courts, the State Bar of Georgia and the Office of Bar Admissions.

The Supreme Court's caseload for calendar years 1986 and 1987 is shown on the next page.

Supreme Court Caseload: 1986 and 1987 (Docket entries)

Filed	1986	1987
Direct appeals (Final)	560	538
Petitions for certiorari	560	540
Habeas corpus applications	158	203
Applications for discretionary appeal	166	183
Applications for interlocutory appeal	61	58
Attorney discipline	36	72
Original petitions/Motions	25	22
Cross appeals	0	14
Certified questions	9	8
Bar admissions	12	5
Judicial discipline	0	2
Other	7	1
TOTAL	**1,594**	**1,649**

Disposed	1986	1987
By opinion	308	377
Affirmed without opinion (Rule 59)	125	131
Petitions for certiorari		
Denied	434	471
Dismissed	24	3
Habeas corpus applications		
Denied	123	145
Dismissed	0	6
Remanded	0	4
Withdrawn	2	3
Dismissed without prejudice	2	1
Denied without prejudice	1	1
Stricken and entered on general docket	2	0
Discretionary applications		
Denied	103	128
Transferred to Court of Appeals	7	6
Dismissed	6	2
Dismissed without prejudice	0	2
Withdrawn	2	2
Denied with direction	1	1
Remanded	1	0
Interlocutory applications		
Denied	31	29
Transferred to Court of Appeals	3	1
Original petitions/Motions		
Denied	9	6
Granted	2	4
Dismissed	14	6
Dismissed without prejudice	1	6
Attorney and judicial disciplinary/ Bar admissions decided by order	33	45
Other		
Transferred to Court of Appeals by order	44	31
Dismissed by order	31	46
Remanded by order	1	3
Withdrawn	27	42
Vacated by order	4	14
Stricken from docket	2	3
Certiorari granted, application granted, notice of appeal	0	5
TOTAL	**1,353 ***	**1,524****

* Total includes figures from several categories not applicable to the 1987 study

** Companion cases were counted as one case in arriving at total

Court of Appeals

Following approval of a constitutional amendment in 1906, the Court of Appeals was created in 1907 to alleviate some of the considerable caseload burden from the Supreme Court. Recent studies have shown that this court has become one of the busiest appellate courts in the United States.

The Court of Appeals retains statewide appellate jurisdiction from superior, state and juvenile courts in all cases where exclusive jurisdiction is not reserved to the Supreme Court. Such cases include civil claims for damages, cases involving workers' compensation and criminal cases other than capital felonies. The court may also certify legal questions to the Supreme Court, but certification is rarely used.

The court consists of nine judges who serve on three panels of three judges each. Under the court's rules, the position of chief judge is rotated, usually for a two-year term upon the basis of seniority of tenure on the court. By statutory authorization, the chief judge appoints the three presiding judges who head each panel. All other judges rotate annually among the three panels.

The chief judge is responsible for the administration of the court and together with the presiding judges forms the executive council. Any decision rendered by a division is final unless a single judge dissents, whereupon the case is considered by all nine judges. If, after the full court hears a case, the judges are equally divided as to the verdict, the case is transferred to the Supreme Court.

The judges of the Court of Appeals are elected to staggered, six-year terms in statewide, nonpartisan elections. A candidate for judgeship must have been a practicing attorney for at least seven years prior to assuming office. In the event of a vacancy on the court, the governor appoints a successor.

The court has three annual terms, which begin in September, January and April, in Atlanta. Cases are always decided by the term after that in which they were docketed; otherwise, a judgment would be affirmed by operation of law. This has never happened in the history of the Court of Appeals.

Court of Appeals filings and dispositions for calendar years 1986 and 1987 are compared in the table below.

Court of Appeals Caseload: 1986 and 1987 (Docket entries)

Filed	1986	1987
Appeals	2,666	2,071
Interlocutory applications	313	391
Discretionary applications	313	342
TOTAL	3,292	2,804
Disposed	**1986**	**1987**
By opinion	1,724	1,667
By order	174	294
Interlocutory applications	328	324
Discretionary applications	319	377
TOTAL	2,545	2,662

Superior Courts

As Georgia's general jurisdiction trial court, the superior court has exclusive constitutional authority to preside over felony cases (except those involving juvenile offenders, in which jurisdiction is shared with the juvenile court) and cases regarding title to land, divorce and equity. The superior court also has exclusive statutory jurisdiction in such matters as declaratory judgments, habeas corpus, mandamus, quo warranto and prohibition.

With the exception of certain probate and juvenile matters, the superior court may exercise jurisdiction over other cases concurrently with the limited jurisdiction courts located in the same county. The superior courts are authorized to correct errors made by lower courts by issuing writs of certiorari, and for some lower courts, the right to direct review by the superior court applies.

Located in each of the state's 159 counties, superior courts are organized by judicial circuits, or groups of counties. The 45 circuits vary in size and population, as well as in the number of judges serving them. From one to eight counties comprise the circuits, with the single-county circuits generally located in or near the several large metropolitan areas of the state (see map of Georgia, p. 4).

The number of superior court judges per circuit ranges from one judge in one circuit (Rockdale) to 12 judges in the Atlanta Judicial Circuit. A chief judge, who in most cases attains the position through seniority, handles the administrative tasks for each circuit.

For purposes of administration, the superior court system is divided into 10 administrative districts, with boundaries that roughly correspond to those of Georgia's U. S. congressional districts. An administrative judge, elected to two-year terms by the superior court judges of each district, performs executive functions in the district and is assisted by a district court administrator who provides technical assistance for the courts. Administrative judges have statutory authority to use caseload and other information for management purposes and to assign superior court judges, with their approval, to serve temporarily in other counties and circuits as needed.

Superior court judges are elected to four-year terms in nonpartisan, circuitwide races. To qualify as a superior court judge, a candidate must be at least 30 years old, a citizen of Georgia for at least three years and have been authorized to practice law for at least seven years. Senior superior court judges, who have retired from the bench and attained senior status, may hear cases in any circuit at the request of the local judges or an administrative judge. All judges must fulfill a 12-hour annual continuing education requirement.

On June 30, 1988, 135 judges were allocated to Georgia's 159 superior courts. Two additional judgeships, one each for the Appalachian and Stone Mountain judicial circuits, were created by the 1988 General Assembly, and the new judges were appointed by Governor Joe Frank Harris for terms beginning with the 1989 fiscal year.

Recent caseload data for the superior courts is presented on page 11. The four graphs depict total, civil, criminal and average filings and dispositions for fiscal years 1983–1984, and for calendar years 1985–1987. CY'87 total superior court caseload by circuit and case type is presented in the table on pages 12 and 13.

Superior Courts

CY 1987 Superior Court Caseload (Docket entries)

Circuit	Total Criminal Filed	Total Criminal Disposed	Felony Filed	Felony Disposed	Misdemeanor Filed	Misdemeanor Disposed
Alapaha	3,388	3,188	1,142	875	2,246	2,313
Alcovy	2,566	2,146	961	875	1,605	1,271
Appalachian	839	782	245	226	594	556
Atlanta	7,577	7,166	7,537	7,126	40	40
Atlantic	1,935	1,870	858	790	1,077	1,080
Augusta	1,663	1,476	1,177	1,047	485	429
Blue Ridge	560	574	502	512	58	62
Brunswick	1,575	1,239	1,222	925	353	314
Chattahoochee	1,981	1,967	1,363	1,372	614	595
Cherokee	1,378	1,359	726	683	652	676
Clayton	1,368	1,604	1,368	1,604	0	0
Cobb	2,193	2,450	1,973	2,281	220	169
Conasauga	1,935	1,765	666	571	1,269	1,194
Cordele	1,223	1,181	610	570	613	611
Coweta	1,361	1,321	1,086	1,049	275	272
Dougherty	913	842	911	840	2	2
Douglas	1,227	1,384	514	531	713	853
Dublin	1,057	1,103	287	285	770	818
Eastern	1,575	1,560	1,575	1,560	0	0
Flint	1,149	1,039	541	489	608	550
Griffin	2,164	1,929	1,297	1,178	867	751
Gwinnett	1,276	1,216	1,169	1,107	107	109
Houston	389	380	319	310	70	70
Lookout Mountain	3,263	3,141	965	984	2,298	2,157
Macon	1,270	1,316	1,135	1,196	133	120
Middle	768	643	724	614	44	29
Mountain	738	820	436	454	302	366
Northeastern	1,946	1,731	833	678	1,113	1,053
Northern	1,026	1,079	563	513	463	566
Ocmulgee	2,651	2,616	1,087	1,054	1,564	1,562
Oconee	1,009	907	453	396	554	511
Ogeechee	910	957	871	915	39	42
Pataula	1,069	819	646	460	423	359
Piedmont	839	786	432	423	407	363
Rockdale	803	844	285	268	516	576
Rome	1,898	2,028	489	399	1,409	1,629
South Georgia	630	555	528	474	102	81
Southern	1,561	1,505	1,269	1,194	292	311
Southwestern	1,048	1,032	640	638	407	394
Stone Mountain	3,345	3,086	3,345	3,086	0	0
Tallapoosa	1,656	1,578	482	434	1,172	1,144
Tifton	990	779	650	462	340	317
Toombs	1,145	1,217	341	305	804	912
Waycross	1,015	1,014	690	690	325	324
Western	591	649	542	594	49	55
TOTALS	71,463	68,643	45,455	43,037	25,994	25,606
AVERAGE PER JUDGE*	522	501	332	314	190	187

*Based on 137 superior court judges

CY 1987 Superior Court Caseload (Docket entries)

Total Civil — Filed	Total Civil — Disposed	General Civil — Filed	General Civil — Disposed	Domestic Relations — Filed	Domestic Relations — Disposed	Total Caseload — Filed	Total Caseload — Disposed	Total Open Caseload
1,296	1,142	739	610	557	532	4,684	4,330	1,456
2,340	2,387	1,085	972	1,255	1,415	4,906	4,533	3,076
1,116	1,243	482	583	634	660	1,955	2,025	1,300
9,659	9,689	3,841	4,147	5,818	5,542	17,236	16,855	7,258
3,314	3,249	956	1,063	2,358	2,186	5,249	5,119	1,113
6,469	9,219	1,706	1,744	4,763	7,475	8,132	10,695	5,274
2,333	2,298	674	651	1,659	1,647	2,893	2,872	1,533
3,903	3,549	1,613	1,503	2,290	2,046	5,478	4,788	3,161
5,963	6,044	1,583	1,572	4,380	4,472	7,944	8,011	2,948
2,644	2,829	1,191	1,297	1,453	1,532	4,022	4,188	2,369
3,106	3,241	663	644	2,443	2,597	4,474	4,845	2,656
8,677	9,338	2,290	2,428	6,387	6,910	10,870	11,788	4,951
3,207	3,416	1,102	1,289	2,105	2,127	5,142	5,181	1,724
1,654	1,584	770	765	884	819	2,877	2,765	1,166
4,472	4,247	1,554	1,343	2,918	2,904	5,833	5,568	3,161
2,347	1,910	725	600	1,622	1,310	3,260	2,752	2,060
2,056	2,094	1,299	1,215	757	879	3,283	3,478	2,766
2,195	2,090	836	746	1,359	1,344	3,252	3,193	1,219
4,702	3,229	2,496	1,734	2,206	1,495	6,277	4,789	4,197
2,592	2,111	1,488	1,135	1,104	976	3,741	3,150	2,998
3,369	3,289	1,608	1,496	1,761	1,793	5,533	5,218	2,928
5,354	5,996	1,310	1,344	4,044	4,652	6,630	7,212	2,512
1,726	2,118	550	574	1,176	1,544	2,115	2,498	1,121
3,683	3,861	965	1,091	2,718	2,770	6,946	7,002	3,258
4,139	4,165	1,460	1,182	2,679	2,983	5,409	5,481	2,407
2,453	2,311	992	955	1,461	1,356	3,221	2,954	1,810
1,749	1,614	667	600	1,082	1,014	2,487	2,434	1,143
2,700	2,670	985	950	1,715	1,720	4,646	4,401	2,290
1,812	1,746	744	656	1,068	1,090	2,838	2,825	1,790
3,337	3,149	1,843	1,758	1,494	1,391	5,988	5,765	2,797
1,527	1,389	704	635	823	754	2,536	2,296	830
2,372	2,558	746	870	1,626	1,688	3,282	3,515	728
1,529	1,298	616	508	913	790	2,598	2,115	1,173
1,753	1,827	772	752	981	1,075	2,592	2,613	1,451
1,399	1,409	698	746	701	663	2,202	2,253	888
2,512	3,052	999	1,256	1,513	1,796	4,410	5,080	2,448
2,300	2,167	779	810	1,521	1,357	2,930	2,722	1,020
4,259	3,880	1,615	1,434	2,644	2,446	5,820	5,385	2,542
1,974	2,078	904	903	1,070	1,175	3,022	3,110	868
8,869	9,246	2,046	2,063	6,823	7,183	12,214	12,332	7,664
2,686	2,398	1,392	1,082	1,294	1,316	4,342	3,976	2,793
2,000	1,533	823	558	1,177	975	2,990	2,312	2,162
1,750	1,036	1,162	440	588	596	2,895	2,253	1,261
2,986	2,859	1,256	1,216	1,730	1,643	4,001	3,873	1,883
1,798	1,775	723	717	1,075	1,058	2,389	2,424	1,410
144,081	144,333	53,452	50,637	90,629	93,696	215,544	212,974	107,563
1,052	1,054	390	370	662	684	1,573	1,555	785

State Courts

A 1970 legislative act established Georgia's state court system by designating as such certain existing countywide courts of limited jurisdiction. In counties where they are located, these courts may exercise jurisdiction over all misdemeanor violations, including traffic cases, and all civil actions, regardless of the amount claimed, unless the superior court has exclusive jurisdiction.

State courts are authorized by statute to hold hearings regarding applications for and issuance of search and arrest warrants and to hold preliminary hearings. These courts may also punish contempt by fine of up to $500 and/or sentence up to 20 days in jail. The Georgia Constitution grants state courts the authority to review lower court decisions, if this power is provided by statute. Specified in the Uniform Rules for State Courts, procedures in the state courts generally parallel those of the superior courts.

The General Assembly may create new state courts by local act in counties where none already exist. In the same manner, the legislature also establishes the number of judges to preside in state courts and whether they are to be full or part-time. Part-time judges are permitted to practice law, except in their own courts.

In fiscal year 1988, 63 state courts operated in 64 counties. Georgia's only multi-county state court serves Cherokee and Forsyth counties. Of the 85 judges presiding, 35 were full-time and 50 served on a part-time basis.

The 1988 legislature created a third full-time state court judgeship for the State Court of Clayton County effective July 1, 1988. The General Assembly also approved a measure to abolish the State Court of Macon County as of the end of the 1988 calendar year due to a low caseload and a small tax base.

State court judges are elected to four-year terms in nonpartisan, countywide elections. Candidates must be at least 25 years old, have practiced law for at least five years and lived in the county for at least three years. If a vacancy occurs in a state court judgeship, the governor may fill the office by appointment.

CY'87 filings and dispositions are listed in the table below for 24 counties that voluntarily submitted caseload data.

CY 1987 State Court Caseload (Docket entries)

County	Misdemeanor		Traffic		Civil		Total	
	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Bibb	4,402	4,471	3,527	3,330	1,003	722	8,932	8,523
Bryan	90	94	1,096	1,276	91	50	1,277	1,420
Carroll	935	765	6,931	4,667	0	0	7,866	5,432
Chatham	1,073	1,606	986	1,477	5,403	5,244	7,462	8,327
Chattooga	738	765	2,621	2,944	41	118	3,400	3,827
Cobb	5,268	4,370	68,819	47,008	29,425	19,745	103,512	71,123
Colquitt	1,034	868	1,346	1,249	61	32	2,441	2,149
Coweta	429	640	3,395	3,491	364	236	4,188	4,367
DeKalb*	6,924	4,156	5,898	3,401	62,358	55,657	75,180	63,214
Fulton	20,030	19,397	23,115	23,115	51,653	33,821	94,798	76,333
Habersham	804	645	1,409	1,205	119	59	2,332	1,909
Houston	1,227	3,753	6,688	6,148	1,407	1,164	9,322	11,065
Lowndes	2,371	1,544	11,879	9,058	193	90	14,443	10,692
Miller	160	160	892	892	2	2	1,054	1,054
Muscogee	2,528	1,705	2,761	2,133	639	251	5,928	4,089
Pierce**	267	218	641	586	17	14	925	818
Richmond	2,197	2,069	4,798	6,554	500	227	7,495	8,850
Spalding	1,415	2,105	2,815	4,316	189	244	4,419	6,665
Stephens	866	846	975	982	232	191	2,073	2,019
Sumter	1,307	1,129	1,455	1,328	77	63	2,839	2,520
Tift	1,676	1,176	6,199	4,648	203	104	8,078	5,928
Treutlen	250	243	2,870	2,654	7	2	3,127	2,899
Washington	472	300	489	386	18	13	979	699
Worth	276	215	2,482	2,259	78	57	2,836	2,531

*Criminal dispositions are for the period 1-1-87 to 9-30-87.

**Data is for the period 1-1-87 to 9-30-87.

Juvenile Courts

The express purpose of Georgia's juvenile courts is to protect the well-being of children, to provide guidance and control conducive to a child's welfare and the best interests of the state and to secure as nearly as possible care equivalent to parental care for a child removed from the home.

The juvenile court's exclusive original jurisdiction extends to cases involving delinquent and unruly children under the age of 17 and deprived children under the age of 18. Juvenile courts hold concurrent jurisdiction with superior courts in cases involving capital felonies, custody and child support cases and in proceedings conducted to terminate parental rights. The superior court has the authority to preside over adoption proceedings.

These courts administer supervision and probation cases for those persons under 21 who were sentenced for an offense committed before age 17. In addition, the juvenile court has jurisdiction over cases involving enlistment in the military services and consent to marriage for minors and cases that fall under the Interstate Compact on Juveniles.

Cases appealed from the juvenile courts may be heard by the Court of Appeals or the Supreme Court, depending on the specific matter.

In 1982, the General Assembly enacted OCGA §15-11-3 to authorize a circuit-based juvenile court system and specify state salary supplements for circuits establishing judgeships on that geographical basis. However, since the legislature has yet to appropriate funds to implement the act, the state's 11 full-time and 40 part-time juvenile court judges who serve in the 62 separate juvenile courts continue to be funded by the individual counties.

In counties or circuits with no separate juvenile court judge, superior court judges hear juvenile cases. Thirty referees, who must be admitted to the state bar or have graduated from law school, serve in 37 counties to assist the juvenile or superior court judge with handling cases. Like the other trial courts, juvenile courts adhere to a set of uniform rules concerning procedures.

In most cases, juvenile court judges are appointed by superior court judges of the circuit for a four-year term (an exception is the election of the judge in the Juvenile Court of Floyd County). Judges must be at least 30 years of age, have practiced law for five years and have lived in Georgia for three years. Full-time judges cannot practice law while holding office. State law requires that juvenile court judges participate in one annual continuing education seminar sponsored by the Council of Juvenile Court Judges in conjunction with the Institute of Continuing Judicial Education.

Juvenile court caseload for CY'87 is presented by county in the table on pages 16–18.

CY 1987 Juvenile Court Caseload (Number of children)

County	Delinquent		Unruly		Traffic		Deprived		Special Proceedings		Total Caseload	
	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Appling	86	52	30	25	19	13	24	21	2	1	161	112
Atkinson	27	21	1	1	1	1	16	13	0	0	45	36
Bacon	21	12	8	6	0	0	18	9	1	1	48	28
Baker	2	0	3	3	1	0	1	1	0	0	7	4
Baldwin	204	193	23	23	31	31	53	0	2	2	313	249
Banks	6	5	6	6	0	0	14	14	0	0	26	25
Barrow	65	48	13	11	6	3	19	9	16	11	119	82
Bartow	289	217	58	50	118	110	140	124	170	150	775	651
Ben Hill	24	59	2	7	0	0	28	27	2	2	56	95
Berrien	37	22	15	10	6	3	18	18	0	0	76	53
Bibb	909	733	195	158	209	189	185	118	328	242	1,826	1,440
Bleckley	17	15	2	2	0	0	1	1	5	3	25	21
Brantley	9	4	2	2	0	0	25	19	1	1	37	26
Brooks	44	22	21	10	3	1	19	6	7	6	94	45
Bryan	61	57	21	19	9	7	25	21	0	0	116	104
Bulloch	139	98	21	11	28	16	13	6	4	3	205	134
Burke	76	65	2	2	5	5	11	9	5	4	99	85
Butts	36	30	6	5	9	9	18	2	4	4	73	50
Calhoun	6	5	1	0	5	5	3	2	4	4	19	16
Camden	155	114	78	52	13	5	80	68	29	24	355	263
Candler	16	13	0	0	0	0	9	8	3	3	28	24
Carroll	406	367	181	124	126	104	99	64	10	5	822	664
Catoosa	153	151	40	40	53	52	64	57	0	0	310	300
Charlton	32	28	6	5	0	0	11	9	0	0	49	42
Chatham	1,260	1,163	260	228	323	256	473	410	147	131	2,463	2,188
Chattahoochee	28	18	2	1	0	0	1	0	1	1	32	20
Chattooga	22	22	7	7	0	0	0	0	3	3	32	32
Cherokee	286	40	142	18	266	58	83	13	83	23	860	152
Clarke	315	310	132	129	120	117	153	151	41	41	761	748
Clay	11	11	1	1	7	7	3	3	0	0	22	22
Clayton	890	549	389	219	970	762	338	243	197	145	2,784	1,918
Clinch	8	8	2	2	0	0	2	2	2	2	14	14
Cobb	1,804	1,317	939	792	989	736	362	315	223	169	4,317	3,329
Coffee	66	65	5	5	12	13	15	16	0	0	98	99
Colquitt	196	183	18	17	31	27	75	64	1	0	321	291
Columbia	199	165	48	47	115	103	22	20	22	14	406	349
Cook	51	49	8	8	3	3	20	18	6	2	88	80
Coweta	223	212	107	107	99	99	95	95	39	39	563	552
Crawford	2	1	0	0	4	3	8	7	1	1	15	12
Crisp	48	37	15	10	0	0	15	15	7	7	85	69
Dade	12	12	11	11	8	8	17	17	2	2	50	50
Dawson	17	8	0	0	0	0	9	3	1	1	27	12
Decatur	105	53	24	10	17	15	48	45	4	4	198	127
DeKalb	2,587	NA	1,100	NA	1,541	NA	769	NA	106	NA	6,103	NA
Dodge	35	12	2	0	9	6	0	0	0	0	46	18
Dooly	51	37	1	0	2	0	0	0	0	0	54	37
Dougherty	800	791	137	135	298	295	55	55	36	36	1,326	1,312
Douglas	425	425	165	165	21	21	102	92	40	40	753	743
Early	24	24	7	7	24	23	6	2	1	1	62	57
Echols	7	5	0	0	0	0	0	0	0	0	7	5
Effingham	64	61	9	8	2	2	17	13	13	8	105	92
Elbert	58	48	3	3	28	23	17	16	3	3	109	93
Emanuel	30	89	3	6	0	0	29	102	0	0	62	197
Evans	67	57	1	0	4	4	11	11	7	7	90	79
Fannin	22	20	10	10	1	1	27	17	5	5	65	53
Fayette	218	217	77	75	178	174	64	63	0	0	537	529
Floyd	442	413	235	227	426	409	141	135	34	33	1,278	1,217
Forsyth	82	79	57	44	97	105	28	15	1	1	265	244
Franklin	31	23	14	10	12	11	9	2	2	1	68	47
Fulton	4,614	2,902	1,100	616	1,262	1,064	978	540	290	134	8,244	5,256
Gilmer	33	30	29	27	5	5	0	0	0	0	67	62
Glascock	1	1	0	0	3	3	2	2	0	0	6	6
Glynn	345	344	172	172	85	85	45	45	3	3	650	649
Gordon	169	165	78	67	11	11	87	87	28	25	373	355
Grady	43	33	12	10	14	7	17	13	1	1	87	64

CY 1987 Juvenile Court Caseload (Number of children)

County	Delinquent		Unruly		Traffic		Deprived		Special Proceedings		Total Caseload	
	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Greene	17	14	2	1	24	17	10	10	0	0	53	42
Gwinnett	1,483	1,405	425	372	1,183	1,142	353	335	123	116	3,567	3,370
Habersham	35	23	6	4	12	10	63	51	2	2	118	90
Hall	312	307	146	146	319	319	157	153	5	5	939	930
Hancock	10	1	0	0	0	0	9	6	0	0	19	7
Haralson	39	34	6	6	0	0	23	20	6	6	74	66
Harris	39	38	0	0	11	9	5	5	5	5	60	57
Hart	64	59	11	10	33	32	23	1	6	6	137	108
Heard	12	12	2	2	3	3	18	18	0	0	35	35
Henry	210	205	130	130	118	118	63	55	0	0	521	508
Houston	281	237	328	290	308	285	274	241	31	27	1,222	1,080
Irwin	16	9	4	3	0	0	5	4	0	0	25	16
Jackson	32	22	6	5	6	1	54	17	2	2	100	47
Jasper	0	0	0	0	2	2	27	27	0	0	29	29
Jeff Davis	64	0	20	0	18	0	1	0	0	0	103	0
Jefferson	38	31	3	3	0	0	7	6	1	1	49	41
Jenkins	21	15	0	0	0	0	6	6	14	14	41	35
Johnson	9	9	1	1	0	0	4	1	5	5	19	16
Jones	39	0	18	0	47	0	0	0	9	0	113	0
Lamar	61	46	9	6	32	30	19	10	10	9	131	101
Lanier	29	26	6	5	0	0	12	11	3	2	50	44
Laurens	230	229	127	126	75	75	55	37	4	4	491	471
Lee	44	39	29	29	31	28	3	3	17	16	124	115
Liberty	273	207	92	69	30	26	86	30	24	21	505	353
Lincoln	6	9	1	2	18	12	1	4	0	0	26	27
Long	20	12	4	3	0	0	4	0	6	5	34	20
Lowndes	327	265	95	61	93	39	65	45	0	0	580	410
Lumpkin	6	2	5	2	0	0	1	1	4	3	16	8
Macon	65	60	7	7	1	1	33	30	4	4	110	102
Madison	94	42	16	6	46	42	18	13	8	4	182	107
Marion	15	15	0	0	2	2	2	1	0	0	19	18
McDuffie	67	54	29	17	29	27	20	12	2	2	147	112
McIntosh	36	20	12	8	1	0	10	10	7	4	66	42
Meriwether	85	85	5	5	6	6	78	77	0	0	174	173
Miller	7	6	7	7	2	2	3	3	4	4	23	22
Mitchell	36	31	7	7	3	3	16	14	3	2	65	57
Monroe	59	54	36	36	51	50	31	31	9	9	186	180
Montgomery	8	6	1	1	11	10	11	11	4	4	35	32
Morgan	37	33	2	2	46	43	10	10	8	5	105	93
Murray	77	60	52	35	2	2	33	30	32	28	196	155
Muscogee	1,125	860	555	430	489	450	492	401	61	53	2,722	2,194
Newton	302	255	118	100	115	96	194	142	120	98	849	691
Oconee	7	1	1	0	1	0	2	1	7	4	18	6
Oglethorpe	16	11	2	2	10	6	9	9	0	0	37	28
Paulding	220	192	49	48	28	23	28	22	16	11	341	296
Peach	33	24	1	0	1	1	67	52	10	8	112	85
Pickens	23	13	9	9	10	6	36	20	7	7	85	55
Pierce	33	10	0	0	0	0	18	7	4	1	55	18
Pike	36	24	10	9	10	6	16	4	8	3	80	46
Polk	88	61	44	39	0	0	29	25	28	21	189	146
Pulaski	28	26	0	0	3	2	5	5	4	4	40	37
Putnam	49	48	5	5	0	0	8	8	1	1	63	62
Quitman	2	2	0	0	0	0	1	1	3	1	6	4
Rabun	20	17	0	0	1	1	7	7	1	1	29	26
Randolph	19	17	0	0	6	3	9	8	7	6	41	34
Richmond	1,057	937	248	235	73	45	18	18	13	12	1,409	1,247
Rockdale	206	206	92	92	185	185	68	68	4	4	555	555
Schley	19	17	0	0	2	2	10	10	0	0	31	29
Screven	43	41	0	0	2	2	3	3	0	0	48	46
Seminole	18	14	0	0	1	0	2	2	0	0	21	16
Spalding	330	302	97	88	72	71	136	128	37	37	672	626
Stephens	40	30	1	1	6	4	32	21	4	4	83	60
Stewart	16	12	4	4	0	0	5	5	0	0	25	21
Sumter	154	153	48	47	32	32	59	59	0	0	293	291
Talbot	2	2	0	0	0	0	0	0	0	0	2	2

CY 1987 Juvenile Court Caseload (Number of children)

County	Delinquent		Unruly		Traffic		Deprived		Special Proceedings		Total Caseload	
	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Taliaferro	5	5	0	0	4	4	0	0	0	0	9	9
Tattnall	39	32	6	4	14	14	21	18	7	5	87	73
Taylor	6	5	2	2	3	3	2	2	2	2	15	14
Telfair	68	213	21	48	22	28	7	21	1	1	119	311
Terrell	23	23	4	4	4	4	37	37	5	5	73	73
Thomas	111	92	95	84	78	71	51	41	28	25	363	313
Tift	331	255	26	20	43	38	26	14	7	4	433	331
Toombs	88	79	1	1	4	3	71	54	9	7	173	144
Towns	5	5	0	0	3	3	2	2	0	0	10	10
Treutlen	29	26	0	0	17	17	8	4	4	4	58	51
Troup	649	645	155	155	92	92	194	192	1	1	1,091	1,085
Turner	55	35	6	5	17	15	8	2	4	3	90	60
Twiggs	33	24	8	8	9	9	6	3	2	1	58	45
Union	10	9	4	4	10	9	17	17	1	1	42	40
Upson	89	76	30	28	51	44	64	59	2	2	236	209
Walker	144	144	62	62	77	77	46	46	19	19	348	348
Walton	353	350	217	216	115	115	126	116	135	121	946	918
Ware	252	201	51	39	50	44	40	24	18	17	411	325
Warren	6	6	1	1	4	2	4	2	0	0	15	11
Washington	49	28	0	0	0	0	7	7	0	0	56	35
Wayne	70	65	23	19	9	9	92	88	19	19	213	200
Webster	3	3	2	2	1	0	2	2	0	0	8	7
Wheeler	16	11	2	2	1	1	3	3	2	2	24	19
White	13	5	6	1	1	0	1	1	0	0	21	7
Whitfield	317	272	259	241	301	242	188	164	69	55	1,134	974
Wilcox	3	2	0	0	1	1	8	5	0	0	12	8
Wilkes	22	19	1	0	14	14	1	0	10	10	48	43
Wilkinson	11	10	2	2	8	7	17	14	0	0	38	33
Worth	79	39	13	7	25	21	3	2	11	10	131	79
TOTALS	29,573	22,317*	9,988	7,441*	12,175	9,845*	9,011	6,579*	2,992	2,258*	63,739	48,440*

*Totals do not include dispositions in DeKalb County

Probate Courts

Located in each of Georgia's 159 counties, the probate court exercises exclusive original jurisdiction in the probate of wills, the administration of estates, the appointment of guardians and the involuntary hospitalization of incapacitated adults and other dependent individuals.

If provided by local statute, probate judges may serve as election superintendent, appoint persons to fill public offices, administer oaths of office, issue marriage licenses, hold habeas corpus hearings or preside over criminal preliminary hearings. Probate courts may also hear traffic cases and try violations of state game and fish laws, unless there is a demand for a jury trial, in which instance a case would be transferred to the superior court.

As of July 1, 1986, in counties with a population greater than 150,000 and where the probate judge has practiced law for at least seven years, a party to a civil case has the right to a jury trial if so asserted by a written demand with the first pleading. Appeals from such civil cases may be to the Supreme Court or Court of Appeals, depending on the particular matter.

Probate court judges are elected to four-year terms in countywide, partisan elections. A candidate for office must be at least 25 years of age, a high school graduate, a U. S. citizen and a county resident for at least two years preceding the election. In counties with a population over 100,000, persons must fulfill further qualifications, including reaching the age of 30 and practicing law for at least three years or serving as clerk of the probate court for a minimum of five years.

If a vacancy occurs in a probate judgeship, state law requires that most counties hold a special election within 10 days. Until the new judge takes office, the chief judge of the state or city court or the clerk of the superior court serves as probate judge. In counties with a population between 200,000 and 250,000, the superior court judges may appoint a successor. A chief clerk who meets the qualifications for office may temporarily assume office upon the death, resignation, incapacity or inability of a judge to serve.

Newly elected or appointed judges must complete an initial training course in probate matters. In order to receive retirement credit, all judges are required to attend annual continuing education courses and seminars sponsored by the Executive Probate Judges Council and conducted by the Institute of Continuing Judicial Education. A state agency, composed of probate judges, the council has the responsibility of advising the Institute on matters concerning continuing education for probate judges. (The council receives no state appropriation.)

CY'87 data voluntarily submitted by 106 probate courts exercising civil jurisdiction and by 56 probate courts exercising criminal jurisdiction are presented in the tables on pages 20–22.

CY 1987 Probate Court Civil Caseload (Docket entries)

County	Administration	No Administration Necessary	Probate Common	Probate Solemn	Guardianship	Year's Support	Hospitalization	Habeas Corpus	Licenses Marriage	Licenses Pistol	Total Civil
Atkinson	8	1	2	14	11	3	7	0	72	59	177
Bacon	18	4	4	18	14	4	18	0	182	58	320
Baldwin	32	12	11	81	81	2	168	0	356	247	990
Banks	20	5	0	36	29	9	0	0	126	95	320
Barrow	13	6	1	52	29	5	43	0	241	101	491
Ben Hill	8	5	2	53	10	4	15	0	174	50	321
Berrien	13	9	1	12	11	12	10	2	99	21	190
Bibb	72	17	20	406	90	34	128	1	1,568	202	2,538
Bleckley	3	4	0	22	5	2	0	0	117	103	256
Brantley	7	7	2	17	9	7	0	0	120	58	227
Bryan	10	1	1	24	21	2	21	0	69	82	231
Bulloch	18	4	2	87	28	3	38	0	289	94	563
Butts	7	3	0	43	16	3	6	0	131	74	283
Candler	12	1	1	20	12	0	3	0	61	7	117
Charlton	6	2	0	8	7	2	6	0	1,350	7	1,388
Cherokee	26	9	11	137	39	19	23	0	589	272	1,125
Clarke	59	9	17	159	78	13	91	2	686	184	1,298
Clayton	78	33	14	278	256	65	100	0	2,379	636	3,839
Clinch	7	2	1	16	5	6	0	0	61	17	115
Cobb	138	48	26	755	266	75	117	3	4,580	1,236	7,244
Coffee	24	11	3	65	19	5	0	0	321	102	550
Colquitt	14	15	1	75	12	10	22	0	385	66	600
Cook*	7	0	0	19	5	1	18	0	116	33	199
Coweta	38	15	5	124	47	24	74	0	543	164	1,034
Crawford	4	0	1	15	5	0	0	0	60	65	150
Crisp	10	13	1	52	13	2	19	0	178	63	351
Dawson	8	5	0	14	11	0	8	0	75	67	188
Decatur	4	3	5	19	3	0	0	0	116	48	198
DeKalb	168	131	182	1,000	442	157	232	15	5,349	1,418	9,094
Dodge	7	9	2	16	5	2	5	0	71	7	124
Dougherty	34	11	14	208	88	7	81	0	1,145	298	1,886
Douglas*	22	8	0	78	47	22	17	0	614	238	1,046
Early	8	0	0	33	2	0	15	0	66	28	152
Echols	1	1	0	3	0	0	0	0	7	1	13
Emanuel	55	40	10	139	56	5	133	0	450	666	1,554
Evans	12	5	0	17	6	0	7	0	94	40	181
Fannin	16	3	3	23	7	8	0	0	120	77	257
Fayette*	2	5	0	22	8	2	1	0	125	42	207
Floyd	47	22	13	243	46	16	196	0	737	190	1,510
Forsyth	37	7	2	214	52	9	0	0	1,197	842	2,360
Fulton	394	319	238	1,524	1,059	130	34	0	7,190	1,981	12,869
Gilmer	32	10	6	21	13	10	50	0	169	126	437
Glynn	62	11	12	166	66	29	87	0	773	296	1,502
Grady	17	5	1	45	19	4	33	9	182	47	362
Greene	6	2	3	31	11	0	13	0	94	32	192
Gwinnett	88	36	12	361	201	40	73	0	3,012	955	4,778
Habersham	13	4	3	62	20	2	28	0	201	56	389
Hall	48	18	8	225	50	19	52	0	896	315	1,631
Haralson	27	1	0	52	14	3	43	0	296	143	579
Harris	7	6	3	40	10	11	0	0	170	134	381
Hart	14	7	3	57	5	10	0	0	118	92	306
Heard	5	3	3	26	2	2	8	0	57	30	136
Houston	22	15	3	170	67	5	0	0	919	320	1,521
Jackson	25	6	2	67	22	16	24	0	270	128	560
Jasper	1	0	3	10	1	1	0	0	34	13	63
Jefferson	9	8	7	40	10	10	0	0	91	60	235
Jenkins	5	3	0	31	27	0	8	0	68	29	171
Jones	5	3	5	26	12	9	14	0	171	86	331
Lanier	1	2	0	15	6	0	8	0	41	17	90
Laurens	18	19	8	83	24	11	55	0	334	146	698
Lee	4	2	0	23	19	0	6	2	114	46	216
Liberty*	50	3	0	25	72	4	26	0	464	40	684
Lowndes	52	16	6	161	38	18	32	0	1,074	243	1,640
Macon	11	4	4	39	11	0	28	0	106	32	235
Mitchell	7	5	0	44	10	0	0	0	136	59	261

CY 1987 Probate Court Civil Caseload (Docket entries)

County	Admin istration	No Admin istration Necessary	Probate Common	Probate Solemn	Guardian ship	Year's Support	Hospital ization	Habeas Corpus	Licenses Marriage	Licenses Pistol	Total Civil
Morgan	6	10	10	48	10	4	24	3	157	37	309
Murray	11	4	0	48	13	7	17	0	232	76	408
Muscogee	181	24	18	485	235	80	88	0	2,183	310	3,604
Newton	22	13	6	110	57	13	62	0	469	380	1,132
Oglethorpe	5	8	3	27	8	7	5	0	81	58	202
Paulding*	14	2	1	50	21	7	0	0	293	103	491
Peach	8	2	1	41	6	1	0	0	63	27	149
Pickens	12	8	2	39	3	2	39	0	161	115	381
Pike	2	3	0	28	2	2	2	0	84	36	159
Putnam	7	4	4	28	7	3	13	0	115	50	231
Quitman	6	0	2	3	0	0	1	0	23	9	44
Rabun	5	13	1	54	24	1	0	0	106	51	257
Randolph	7	1	3	30	2	0	0	0	60	32	135
Richmond	128	45	33	370	145	106	180	0	1,442	839	3,288
Rockdale	14	26	13	96	80	10	4	0	549	271	1,063
Schley	2	0	0	2	4	0	0	0	44	10	62
Seminole	3	7	0	26	5	1	13	2	802	31	890
Spalding	24	17	3	136	44	16	54	1	602	158	1,055
Stewart	4	0	1	11	1	0	0	0	34	0	51
Tattnall	12	3	1	30	14	4	23	0	163	68	318
Taylor	4	1	3	18	0	1	36	0	54	27	144
Telfair	8	1	6	19	4	2	2	0	89	48	179
Terrell	6	2	3	28	11	0	0	0	78	57	185
Thomas	19	7	4	115	22	1	454	0	463	79	1,164
Tift	12	7	4	74	18	4	33	0	392	94	638
Towns	1	5	1	20	8	1	0	0	60	78	174
Treutlen	8	4	2	8	3	3	7	0	65	28	128
Troup	39	23	11	164	32	12	83	0	526	186	1,076
Turner	15	4	1	35	19	2	6	0	64	29	175
Union	8	4	0	19	13	3	0	0	112	113	272
Upson	20	20	2	85	15	7	35	2	252	107	545
Walker	17	20	11	157	68	28	46	0	241	104	692
Walton	22	14	14	90	24	17	52	0	293	145	671
Ware	20	10	3	119	18	18	51	0	397	139	775
Warren	3	5	0	22	7	0	7	0	40	19	103
Washington	7	8	4	41	11	3	10	0	166	50	300
Webster	0	0	1	7	0	0	0	0	19	25	52
Wheeler	2	3	0	6	2	0	0	0	45	12	70
White	6	5	0	32	7	3	12	0	118	74	257
Wilkinson	7	4	0	19	4	1	21	0	89	96	241
Worth	13	4	0	50	17	5	11	0	200	65	365

*Data is for period 1-1-87 to 9-30-87

CY 1987 Probate Court Criminal Caseload (Docket entries)

County	Misdemeanor Filed	Misdemeanor Disposed	Traffic Filed	Traffic Disposed	Total Caseload Filed	Total Caseload Disposed
Atkinson	0	0	639	639	639	639
Bacon	74	60	922	872	996	932
Banks	317	323	1,253	1,225	1,570	1,548
Barrow	0	0	1,448	1,419	1,448	1,419
Ben Hill	50	45	721	599	771	644
Bleckley	0	0	658	658	658	658
Brantley	101	101	857	860	958	961
Butts	62	62	635	635	697	697
Charlton	0	0	2,039	2,227	2,039	2,227
Cook*	60	60	2,987	2,609	3,047	2,669
Crawford	53	37	1,119	609	1,172	646
Crisp	76	70	3,062	2,442	3,138	2,512
Dawson	142	133	837	788	979	921
Dodge	40	37	408	381	448	418
Echols	1	0	75	85	76	85
Fannin	134	126	770	755	904	881
Fayette*	26	26	1,458	1,458	1,484	1,484
Floyd	0	0	5,590	3,833	5,590	3,833
Gilmer	0	0	1,300	1,200	1,300	1,200
Haralson	66	33	2,409	1,792	2,475	1,825
Harris	96	96	2,245	2,053	2,341	2,149
Hart	0	0	1,042	1,042	1,042	1,042
Heard	100	111	524	522	624	633
Jasper	6	6	247	247	253	253
Lanier	0	0	282	258	282	258
Laurens	147	113	5,405	4,662	5,552	4,775
Lee	41	41	1,166	1,158	1,207	1,199
Morgan	76	76	5,081	4,733	5,157	4,809
Murray	0	0	2,888	2,888	2,888	2,888
Newton	130	122	4,022	3,698	4,152	3,820
Oglethorpe	84	84	435	422	519	506
Paulding*	25	13	814	691	839	704
Peach	0	0	798	765	798	765
Pickens	0	0	1,526	1,526	1,526	1,526
Pike	11	11	344	344	355	355
Quitman	86	86	333	334	419	420
Rabun	0	0	673	673	673	673
Randolph	54	58	1,307	1,307	1,361	1,365
Rockdale	0	0	1,664	1,707	1,664	1,707
Schley	0	0	268	244	268	244
Seminole	142	136	978	826	1,120	962
Stewart	90	90	747	697	837	787
Taylor	37	34	996	903	1,033	937
Telfair	55	49	1,276	1,018	1,331	1,067
Terrell	0	0	1,116	1,024	1,116	1,024
Towns	69	62	253	231	322	293
Turner	0	0	2,211	2,220	2,211	2,220
Union	85	77	610	518	695	595
Upson	0	0	2,172	2,390	2,172	2,390
Walton	51	51	2,968	2,968	3,019	3,019
Warren	10	8	1,063	944	1,073	952
Webster	22	20	445	402	467	422
Wheeler	9	14	1,118	1,082	1,127	1,096
White	0	0	486	443	486	443
Whitfield	0	0	4,557	5,376	4,557	5,376
Wilkinson	42	79	371	391	413	470

*Data is for period 1-1-87 to 9-30-87.

Magistrate Courts

A statewide system of magistrate courts was constitutionally created in 1983 to replace justice of the peace, small claims and other similar courts. A chief magistrate, who may be assisted by one or more magistrates, presides over each of the 159 magistrate courts in the state.

Magistrate court jurisdiction encompasses civil claims of $3,000 or less; trials for county ordinance violations; applications for and issuance of arrest and search warrants; holding preliminary hearings, issuing summonses, dispossessory writs and distress warrants.

Magistrates may grant bail in cases for which the setting of bail is not exclusively reserved to another court, administer oaths and issue subpoenas, as well as sentence and fine for contempt up to 10 days imprisonment and/or $200.

No jury trials are held in magistrate court, and cases involving county ordinance violations in which the defendant submits a written request for a jury trial are removed to superior or state court. These courts also hear appeals from judgments of magistrate courts.

In addition to hearing cases, duties of the chief magistrate include assignment of cases, setting of court sessions, appointment of other magistrates (with the consent of the superior court judges) and deciding disputes among other magistrates.

Minimum compensation for chief magistrates and magistrates is fixed by statute. Unless otherwise provided by local law, the number of magistrates in addition to the chief is set by majority vote of the county's superior court judges.

Chief magistrates are either appointed or elected in partisan, countywide elections to serve for a term of four years. Terms for other magistrate judges run concurrently with that of the chief magistrate who appointed them. The authority to appoint a replacement if a vacancy occurs in the office of chief magistrate usually resides with a circuit's superior court judges.

To quality for candidacy for magistrate office, persons must reside in the county for at least one year preceding their term of office, be 25 years of age and have a high school diploma or its equivalent. New magistrates, unless they are active members of the state bar, must complete an initial 40-hour course for certification and all magistrates must satisfy an annual 20-hour continuing education requirement. The Georgia Magistrate Courts Training Council formulates the curricula for the seminars and sets the standards for certification, and the training courses are coordinated by the Institute of Continuing Judicial Education.

As provided by law, judges of other limited jurisdiction courts may also serve in the capacity of magistrate in the same county. At the end of FY'88, 31 probate judges, two civil court judges, two juvenile court judges and one municipal court judge also served as chief magistrate or magistrate.

Fiscal year 1988 magistrate court caseload is presented on pages 24–26 for 140 counties submitting data.

FY 1988 Magistrate Court Caseload (Cases filed)

County	Warrants Issued	Bond and Committment Hearings	County Ordinances Filed	County Ordinances Disposed	Civil Claims Filed	Civil Claims Disposed	Other Civil Cases Filed	Other Civil Cases Disposed	Total Filings	Total Hearings and Dispositions
Appling	781	548	260	120	438	184	150	150	1,629	982
Atkinson	232	0	1	1	195	185	66	66	494	252
Bacon*	186	0	79	0	213	0	70	70	548	70
Baker	127	93	0	0	92	42	34	34	253	169
Baldwin	2,158	364	19	98	2,476	2,100	1,955	1,955	6,608	4,517
Banks	260	13	9	5	274	154	74	74	617	246
Barrow	2,262	576	239	236	701	284	442	442	3,644	1,538
Ben Hill	1,427	136	179	150	1,405	1,208	1,127	1,127	4,138	2,621
Berrien	962	3	0	0	441	358	182	182	1,585	543
Bibb	8,768	3,979	0	0	2,346	2,169	1,227	1,227	12,341	7,375
Bleckley	646	288	32	99	246	240	126	126	1,050	753
Brantley*	61	3	8	8	74	30	11	11	154	52
Brooks	492	334	132	110	457	317	198	198	1,279	959
Bulloch	3,435	99	1	1	1,397	2,555	645	645	5,478	3,300
Burke	1,243	16	0	0	559	506	190	190	1,992	712
Butts	926	122	24	71	328	295	154	154	1,432	642
Calhoun	139	1	12	12	123	126	68	68	342	207
Camden	1,314	512	7	6	396	204	285	285	2,002	1,007
Candler*	386	124	46	0	176	85	58	58	666	267
Carroll	2,426	78	49	49	1,231	924	961	961	4,667	2,012
Catoosa	1,801	435	89	87	274	326	250	250	2,414	1,098
Charlton	428	23	23	25	134	43	74	74	659	165
Chatham	8,322	3,605	759	449	6,907	4,218	9,095	9,095	25,083	17,367
Cherokee	4,627	173	4	2	1,077	790	1,014	1,014	6,722	1,979
Clarke	9,151	2,273	58	112	1,436	1,271	2,187	2,187	12,832	5,843
Clay	161	95	0	0	50	44	6	6	217	145
Clayton*	5,628	6,277	56	44	1,170	979	6,024	6,024	12,878	13,324
Clinch	244	1	0	0	196	6	111	111	551	118
Cobb*	11,342	1,177	885	921	2,176	1,578	0	0	14,403	3,676
Coffee	4,548	85	0	0	1,468	689	718	718	6,734	1,492
Colquitt	2,266	606	0	0	2,225	200	904	904	5,395	1,710
Columbia	1,525	305	542	359	1,010	816	400	400	3,477	1,880
Cook*	271	10	0	0	76	88	55	55	402	153
Coweta	3,209	22	1,222	640	1,743	1,466	1,039	1,039	7,213	3,169
Crawford	223	46	30	19	117	63	36	36	406	164
Crisp	960	451	374	546	578	538	655	655	2,567	2,190
Dade	1,675	1,443	0	0	259	215	60	60	1,994	1,718
Dawson	414	125	3	0	396	339	53	53	866	517
Decatur	1,055	378	0	0	1,342	21	578	578	2,975	977
DeKalb	17,049	25,985	593	692	3,890	2,019	119	119	21,651	28,815
Dodge	1,365	0	0	0	355	149	186	186	1,906	335
Dooly	471	98	0	0	413	277	113	113	997	488
Dougherty	7,864	292	0	0	3,621	3,621	3,882	3,882	15,367	7,795
Douglas	3,607	710	275	299	673	466	725	725	5,280	2,200
Early	429	15	0	0	331	330	152	152	912	497
Echols	21	16	0	0	26	17	0	0	47	33
Effingham	832	107	54	54	265	260	72	72	1,223	493
Elbert	1,184	540	0	0	490	346	314	314	1,988	1,200
Emanuel	906	429	380	287	729	723	312	312	2,327	1,751
Evans	301	98	342	223	330	63	192	192	1,165	576
Fayette	925	457	418	360	689	545	338	338	2,370	1,700
Floyd	5,289	1,000	1,171	329	2,385	1,591	2,213	2,213	11,058	5,133
Franklin	733	109	96	135	535	345	163	163	1,527	752
Fulton	14,115	19,234	20,604	12,917	5,021	2,899	59,916	59,916	99,656	94,966
Gilmer*	135	90	0	0	151	191	9	9	295	290
Glynn	3,667	176	972	971	1,647	1,071	1,547	1,547	7,833	3,765
Gordon	2,821	722	143	305	649	329	368	368	3,981	1,724
Grady*	121	45	0	3	223	217	68	68	412	333
Greene	379	10	0	0	780	944	281	281	1,440	1,235
Gwinnett	9,969	5,252	92	623	2,632	2,935	7,634	7,634	20,327	16,444
Habersham*	338	112	20	20	188	136	84	84	630	352
Hall	2,189	4,142	1,613	1,302	1,645	1,348	1,617	1,617	7,064	8,409
Hancock	229	162	69	28	891	676	254	254	1,443	1,120
Haralson	534	10	282	204	265	114	93	93	1,174	421
Harris	633	125	62	23	398	321	126	126	1,219	595

FY 1988 Magistrate Court Caseload (Cases filed)

County	Warrants Issued	Bond and Committment Hearings	County Ordinances Filed	County Ordinances Disposed	Civil Claims Filed	Civil Claims Disposed	Other Civil Cases Filed	Other Civil Cases Disposed	Total Filings	Total Hearings and Dispositions
Hart	520	143	0	0	483	235	204	204	1,207	582
Henry	1,739	2,355	570	553	1,039	1,199	509	509	3,857	4,616
Houston	6,476	2,505	0	0	1,240	1,115	1,324	1,324	9,040	4,944
Jackson	1,236	111	5	11	661	748	339	339	2,241	1,209
Jasper	297	117	0	0	177	171	115	115	589	403
Jeff Davis	974	531	386	370	464	509	248	248	2,072	1,658
Jefferson	863	268	216	216	733	733	317	317	2,129	1,534
Jenkins	419	35	0	0	491	435	220	220	1,130	690
Johnson	370	22	71	71	206	187	134	134	781	414
Jones	1,102	6	0	0	652	224	152	152	1,906	382
Lamar	647	61	0	9	351	307	259	259	1,257	636
Lanier	389	67	0	0	184	188	64	64	637	319
Laurens	2,243	2,151	798	800	901	1,623	953	953	4,895	5,527
Lee	366	72	8	5	319	267	112	112	805	456
Lincoln	151	64	59	59	332	163	100	100	642	386
Long	319	107	14	28	91	98	14	14	438	247
Lowndes	5,570	1,547	1,119	42	3,520	1,061	2,672	2,672	12,881	5,322
Lumpkin	465	200	129	45	301	279	114	114	1,009	638
Macon	785	147	150	117	468	381	317	317	1,720	962
Madison	429	346	109	0	373	294	77	77	988	717
Marion	115	52	0	0	84	104	50	50	249	206
McDuffie	1,146	234	22	15	933	647	411	411	2,512	1,307
McIntosh	477	228	0	0	216	206	82	82	775	516
Miller	175	0	0	0	280	0	42	42	497	42
Monroe	737	89	0	0	583	499	233	233	1,553	821
Morgan	421	199	115	11	419	347	161	161	1,116	718
Muscogee	0	0	0	0	818	302	4	4	822	306
Newton	2,262	1,203	1,084	986	1,227	890	644	644	5,217	3,723
Oconee*	95	0	2	2	92	75	46	46	235	123
Oglethorpe	201	35	2	6	136	137	85	85	424	263
Paulding*	1,094	528	117	173	517	523	258	258	1,986	1,482
Peach	1,432	1,260	103	119	418	280	226	226	2,179	1,885
Pickens	685	12	189	56	240	199	65	65	1,179	332
Pierce*	529	124	0	0	131	133	58	58	718	315
Pike	360	159	5	4	149	86	43	43	557	292
Pulaski	303	128	0	0	291	214	74	74	668	416
Putnam	471	618	0	0	888	769	201	201	1,560	1,588
Quitman	30	5	0	0	17	17	0	0	47	22
Rabun	385	4	0	0	287	255	36	36	708	295
Randolph	394	48	0	0	204	215	21	21	619	284
Richmond	8,407	1,409	8,122	8,122	5,822	3,933	6,277	6,277	28,628	19,741
Rockdale	2,064	1,645	1,012	802	792	901	871	871	4,739	4,219
Schley	137	125	0	0	79	71	37	37	253	233
Seminole	330	22	26	26	314	139	84	84	754	271
Spalding	3,203	1,836	448	288	2,101	1,412	2,667	2,667	8,419	6,203
Stephens	1,639	239	0	0	523	90	212	212	2,374	541
Stewart	349	38	58	58	63	63	36	36	506	195
Sumter	2,296	1,030	572	2	889	833	812	812	4,569	2,677
Tattnall	170	51	346	194	540	444	157	157	1,213	846
Taylor	262	33	10	0	159	50	18	18	449	101
Telfair	625	108	0	0	343	305	196	196	1,164	609
Terrell	498	342	83	83	349	283	174	174	1,104	882
Thomas	2,307	724	907	846	2,211	1,852	1,078	1,078	6,503	4,500
Tift	3,960	957	0	0	1,165	74	604	604	5,729	1,635
Toombs	3,250	9	525	833	1,196	878	1,495	1,495	6,468	3,215
Towns	217	3	0	0	52	44	2	2	271	49
Treutlen	395	91	0	0	112	112	55	55	562	258
Troup	1,756	51	71	7	3,946	3,033	2,990	2,990	8,763	6,081
Turner	476	269	63	50	223	227	86	86	848	632
Twiggs	258	132	3	0	176	140	74	74	511	346
Upson	886	455	185	37	529	131	356	356	1,956	979
Walker	1,287	337	53	86	642	291	400	400	2,382	1,114
Walton	1,488	363	639	585	965	848	1,228	1,228	4,320	3,024
Ware	2,116	1,444	1,355	1,355	799	799	739	739	5,009	4,337
Warren	98	0	0	0	243	214	111	111	452	325

FY 1988 Magistrate Court Caseload (Cases filed)

County	Warrants Issued	Bond and Committment Hearings	County Ordinances Filed	County Ordinances Disposed	Civil Claims Filed	Civil Claims Disposed	Other Civil Cases Filed	Other Civil Cases Disposed	Total Filings	Total Hearings and Dispositions
Washington	1,046	14	143	140	1,260	1,183	508	508	2,957	1,845
Wayne	859	97	0	0	465	685	220	220	1,544	1,002
Webster*	62	38	0	0	39	39	9	9	110	86
Wheeler	199	25	0	0	152	126	57	57	408	208
White	400	337	102	95	295	357	74	74	871	863
Whitfield	5,434	57	12	1	2,090	1,695	1,479	1,479	9,015	3,232
Wilcox	202	86	22	17	343	334	108	108	675	545
Wilkes	293	99	71	44	335	302	179	179	878	624
Wilkinson	340	11	23	14	354	354	123	123	840	502
Worth	985	117	0	0	412	393	210	210	1,607	720
TOTALS	247,153	113,130	52,452	40,328	116,320	86,321	146,770	146,770	562,695	386,549

*Partial submissions for FY 1988

Other Courts

Along with the two appellate and five classes of trial courts, approximately 400 local courts form the Georgia court system. Several special courts and numerous (390) courts serving incorporated municipalities operate under a variety of names with varying jurisdiction.

Originally created by statute or constitutional provision, certain special courts have limited civil and criminal jurisdiction throughout the county. Such courts include the civil courts located in Bibb and Richmond counties and the Municipal Court of Columbus (see court organizational chart, page 6). Special courts authorized to exercise criminal jurisdiction only are the county recorder's courts of Chatham, DeKalb and Gwinnett counties and the consolidated government of Columbus-Muscogee County.

At the local level, Georgia has courts of incorporated municipalities that try local traffic offenses, exercise criminal jurisdiction of magistrate courts and may have concurrent jurisdiction over cases involving one ounce or less of marijuana.

Although first established under various names (city courts, mayor's courts, municipal courts, police courts, recorder's courts), these courts were redesignated as municipal courts by the 1983 state constitution. (An exception is the City Court of Atlanta, which retains its original name.)

Qualifications of judges and terms of office in municipal courts are set by local legislation.

Judicial Agencies

Judicial Council of Georgia

Since its creation by statute in 1973, the Judicial Council has served the Georgia judiciary and citizenry as the state-level judicial planning agency by coordinating administrative efforts for and recommending improvements in the state judicial system. An administrative arm of the Supreme Court since 1978, the council advises the legislature and the governor on the need for additional superior court judgeships by evaluating circuit caseloads and circumstances. The council also responds to legislative directives and individual requests for studies and initiates projects to generate efficiencies in the state's courts.

Twenty-four representatives of the appellate and trial courts serve on the Judicial Council. The Supreme Court's chief justice and presiding justice act as the chairman and vice chairman, respectively. The chief judge and another member of the Court of Appeals, the presidents and presidents-elect of the superior, state, juvenile, probate and magistrate court councils and the 10 superior court district administrative judges complete the council's membership.

The full council meets at least twice each year, as it did in December 1987 and June 1988, to consider its committees' recommendations regarding specific studies and ongoing projects. It oversees the activities of the Administrative Office of the Courts and the Board of Court Reporting (see following pages).

The Judicial Council entered into a $70,500 contract with the 10 judicial administrative districts for district personnel to conduct the 1986 calendar year casecount in the summer of 1987. Raw data obtained by the districts was analyzed by the Administrative Office of the Courts and the results were submitted to the council for evaluation in regard to three requests for additional superior court judgeships.

In considering added judgeships, the Judicial Council seeks to achieve a balanced and equitable distribution of superior court caseload in order to promote speedy and fair trials of citizens' cases. Endorsements are based on information that clearly and convincingly depicts the necessity of additional manpower, and, as a matter of policy, the council does not recommend the creation of new part-time judgeships or additional circuits.

The council compares a requesting circuit's situation, in terms of weighted caseload, average filings, jury trials, open caseload, population and days of senior judge assistance, to that of the remaining circuits. Following evaluation of these factors in 1987, the council recommended to Governor Harris and the General Assembly the creation of a ninth superior court judgeship in the Stone Mountain Judicial Circuit and reconfirmed its recommendation that the Appalachian circuit receive a second judgeship.

In response to a request from a state representative from the Brunswick Judicial Circuit, the council evaluated a proposal to divide the five-county circuit into two circuits. As a result, it voted to recommend the division of the circuit into separate two-county and three-county circuits. Requests for a third judgeship in the Flint Judicial Circuit and for consolidation of the superior and state courts in the Houston Judicial Circuit were also considered by the council, but endorsements regarding these issues were not made to the legislature.

At the end of the fiscal year, the council authorized the Administrative Office of the Courts to

study 1987 caseload data to determine the need for new superior court judgeships for the Atlantic, Cherokee, Cobb, Eastern, Gwinnett and Southern circuits and to review the need for two new judgeships in the Atlanta Judicial Circuit.

The council also received a request to investigate the workload of the superior courts of the Augusta Judicial Circuit to see whether there was justification for making Columbia County a single-county circuit.

After a year-long study, the council's Child Support Enforcement Committee finalized a report on the status of the methods, agencies and authorities in Georgia that set and enforce orders for child support. Created by the council in response to a House of Representatives' directive (1986 House Resolution 736), the committee was charged with examining the equity of powers between the state's courts and administrative agencies in order to properly allocate powers and resources for the enforcement of child support orders.

Included in the report and recommendations submitted to the House Judiciary Committee were the following proposals:

1) Georgia law should provide for only one receiver agency per circuit;
2) courts should be responsible for the operation of "expedited process" systems (referees, special masters, court commissions) which meet federal requirements;
3) only one court order of child support should be in effect at any time; and
4) receivers' offices should be automated and their computers networked to communicate with the State Office of Child Support Recovery.

In addition, the committee endorsed a stronger role for the judicial branch in the recovery of child support payments in arrears.

The council also released the *Information Systems Guide for the Superior Courts of Georgia* in May 1988 as a standard for superior courts to use when planning to automate formerly manual procedures or when upgrading computer systems already installed. The Guide is intended to facilitate the process of selecting hardware and software by local court managers for their particular needs.

The result of two years of research by the council's Electronic Data Processing Committee, the book defined the data elements needed to fulfill reporting requirements to various state agencies. Following publication of the guide, the committee began study of automation in all Georgia courts.

The council was requested by the Secretary of State's office to ascertain the judiciary's interest in establishing a computer link between the offices of each superior court clerk and the state's mainframe computer network. A joint effort of the Secretary of State and State Bar to revise the corporate code and allow attorneys to access directly the state's data base concerning documents of incorporation through terminals in clerks' offices led to the request.

The plan involved an increase in the filing fee for incorporation and a users' fee for inquiries at the local level to generate funds for the statewide network. The Judicial Council approved in concept legislation proposed by the Secretary of State for the 1989 General Assembly session and endorsed a suggestion that the computer hardware include personal computers rather than dumb terminals and that with project funds be appropriated through the council's budget.

Concern with providing post-conviction representation for indigents in death penalty cases brought a request before the council to include $300,000 in its FY'89 budget application to help fund the Georgia Appellate Practice and Educational Resource Center. The funds were to be used to purchase materials, provide staff to support law firms' pro bono work and assist in researching legal questions associated with such cases. The council included the request in its new budget and later was appropriated $150,000 to be combined with grants totaling $371,719 from the United States Judicial Conference and $25,000 from the Georgia Bar Foundation, for the resource center.

As charged by law, the Judicial Council took administrative action in different areas. It reviewed and approved a general revision and clarification of the rules of the Board of Court Reporting as recommended by the board. The council also voted to approve completion of an American Academy of Judicial Education course, brought to Georgia for attorney magistrates, in fulfillment of the 20-hour annual recertification requirement for magistrates, as part of the Magistrate Courts Training Council's 1989 curriculum.

In other action, the council agreed to sponsor jointly with the Younger Lawyers Section of the State Bar and the Carl Vinson Institute of Government the statewide high school mock trial competition.

Administrative Office of the Courts

The Administrative Office of the Courts (AOC) provides budget, research and management information services for the state court system and serves a liaison function through its administrative

activities in connection with national-level and other state-level judicial agencies. The AOC also serves as staff to the Judicial Council, working closely with the chairman, the chief justice of the state Supreme Court.

The AOC's administration/operations division performs fiscal support services that involve coordination of the judicial branch appropriations request as well as serving as accounting officer for eight other judicial agencies. The fiscal office handles tasks associated with payroll, accounts payable, cash management, purchasing, inventory control, personnel records and financial reporting for these agencies.

In FY'88, the AOC fiscal section managed 56 separate funding sources comprising all or part of five of the seven budget units in the judicial branch (see table, p. 3). These funding sources included 25 state fund allocations, 12 federal grants and 19 fee or other revenue accounts.

Another function of the administration/operations division is the promotion of communication and the exchange of information among judges, court support personnel and public and private judicial organizations. This objective is accomplished primarily through the production of a variety of informational publications, including the *Georgia Courts Journal*, a periodical which informs readers of changes in court procedure, judicial personnel appointments and elections, recent legislation, local and national court management activities and judicial process events.

In FY'88, five issues of the Courts *Journal* and one index were published and distributed to 3,000 local, state and national officials. The AOC prepared and distributed eight weekly issues of the *Judicial Legislative Log*, a digest of court-related legislation, to more than 850 judges, county officers and court administrative personnel.

The *1987-88 Georgia Courts Directory*, which contains address information for Georgia county, state and federal judicial branch officials, was provided at no cost to judicial branch personnel and was made available at cost to attorneys and other persons. The AOC also produced the judiciary's *Fourteenth Annual Report on the Work of the Georgia Courts*.

Eight issues of the *Public Relations Digest*—abstracts of news and feature items about the judiciary—were compiled and circulated to Judicial Council members to gauge public opinion about court activities and to identify matters of concern to the council.

Seven press releases were also issued to the state's print and electronic media during the year to announce Judicial Council action regarding the creation of additional superior court judgeships.

Approximately 150 printing projects were coordinated by the AOC communications staff for itself and other judicial agencies.

The AOC's research/court services division gathers statistical, financial and other information on the judicial work of the courts so that it can identify current and future needs and propose recommendations for improvement. The AOC responds to requests for studies from the General Assembly and the judicial community and initiates projects to fulfill its legislatively prescribed duty to serve the courts (see list of AOC duties on p. 30).

Each year the primary research effort is aimed at supervising the collection of caseload and other data on the trial courts' work. Through a contract with the judicial administrative districts, the AOC expended $70,500 on manual counting of calendar year 1986 cases in the superior and juvenile courts.

New casecounting strategies were designed to incorporate changes necessitated by a decision to simplify filing type categories. On the criminal side, misdemeanor and traffic cases were combined into one misdemeanor class and independent motions were merged into the domestic relations and civil categories. The counting and classification of probation revocations were also reexamined.

Weights for both the Delphi and Ratio caseload analysis systems were adjusted for the new methodology. The AOC entered into a three-year contract with the administrative districts in order to stabilize casecount procedures. Upon recommendation of the AOC, the Judicial Council approved in concept the use of a face sheet with criminal and civil cases to improve the accuracy of court records and the annual casecount.

CY 1986 data submitted by district personnel was audited and analyzed in terms of judicial workload and presented to the Judicial Council to formulate recommendations on the need for additional superior court judgeships in the Appalachian and Stone Mountain circuits, the consolidation of the state and superior courts in Houston County and the feasibility of dividing the Brunswick Judicial Circuit.

The AOC generated reports of district, circuit and county caseloads in response to individual requests for caseload information and compiled open caseload reports for the 45 superior court circuits for CY 1987. Following an analysis of the number of open cases, the AOC estimated average processing times for each judicial circuit, and the Chief Justice notified judges of their circuit's current rate of case dispositions.

It was found that the 10 circuits in the state with the shortest overall processing times were: Oconee, Atlantic, South Georgia, Eastern, Northeastern, Ogeechee, Conasauga and Gwinnett (tie), Waycross, Alapaha and Rockdale.

Duties of the Judicial Council/Administrative Office of the Courts

1) Consult with and assist judges, administrators, clerks of court and other officers and employees of the court pertaining to matters relating to court administration and provide such services as are requested
2) Examine the administrative and business methods and systems employed in the offices related to and serving the courts and make recommendations for necessary improvement
3) Compile statistical and financial data and other information on the judicial work of the courts and on the work of other offices related to and serving the courts, which shall be provided by the courts
4) Examine the state of the dockets and practices and procedures of the courts and make recommendations for the expedition of litigation
5) Act as fiscal officer and prepare and submit budget estimates of state appropriations necessary for the maintenance and operation of the judicial system
6) Perform such additional duties as may be assigned by the Judicial Council
7) Prepare and publish an annual report on the work of the courts and on the activities of the Administrative Office of the Courts
8) Receive grants from any source, public or private, and expend funds and perform services in accordance with the terms of any grant
9) Prepare, publish and distribute, from time to time, studies and reports relating to the administration of justice, impose reasonable charges for such reports where appropriate on either an individual or subscription basis and retain any proceeds of such charges
10) Provide clerical, technical, research or other assistance to individual courts to enable them more effectively to discharge their duties
11) Enter into contracts as necessary to perform its other duties

The Rockdale Judicial Circuit, which had also improved its processing times the greatest, was nominated for a National Foundation for the Improvement of Justice Award for its efforts in case delay reduction.

The AOC continued to work with the magistrate, state and probate court judges' councils on their self-reporting caseload systems. It revised the magistrates' case data reporting forms to include bad checks as a new category and eliminate the nontrial category for civil case dispositions and provided for more detailed information on fines, fees and financial data.

The AOC also worked with a committee of state court judges and clerks in developing quarterly report formats for both automated and manual systems. Participating in these self-reporting systems were 140 magistrate courts, 106 probate courts and 24 state courts.

Processing of data on superior court cases begun in six counties in FY 1987 under a pilot case reporting system was continued in FY'88. After receiving civil and criminal case information for a full year from superior court clerks' personnel in Bartow, Hall, Lumpkin, Pulaski, Rockdale and Spalding counties, AOC research staff were able to produce computerized annual casecounts.

This case-by-case system was also implemented in Baldwin, Charlton, Cherokee, Fayette, Habersham, Lee, Rabun and Towns counties during FY 1988. Reports were generated on a monthly basis according to data periods specified by participating courts.

The AOC assisted the Judicial Council's Electronic Data Processing (EDP) Committee in publishing the *Information Systems Guide for the Superior Courts in Georgia*. The book was distributed to all superior court judges and clerks, computer vendors involved with court software systems, county data processing managers and state agencies to which superior court clerks are statutorily required to furnish information.

The purpose of the guide is to:

1) identify and document data and its form to be furnished to state agencies by superior court clerks,
2) identify and document data needed for daily operation of clerks' offices in civil and criminal case management, and
3) describe a model data base which encompasses both of the above for use by clerks and systems analysts in designing and implementing computer systems for superior court clerks' offices.

AOC research staff developed and distributed a third computer survey to all trial courts to identify computer usage in the state. Like previous surveys, the 1988 effort will catalog operating systems and software, type of court functions being automated and vendors providing services to Georgia courts. The survey is designed to update the 1986 computer survey and to furnish planning information to the EDP Committee.

The AOC aided the EDP Committee in responding to a request from the Secretary of State to plan a statewide computer network to link all superior court clerks' offices and provide a personal computer to each office. The immediate purpose of the network is to provide access to corporate charter information by the public and attorneys through the clerk's office.

The system will provide other benefits as well, such as electronic mail and word processing capabilities. It should also pave the way for additional future automation of clerks' functions.

As mandated by a 1986 House of Representatives resolution, the AOC and the Judicial Council studied child support enforcement powers and programs in Georgia courts and agencies. The AOC was involved in the research, publication and distribution of the Judicial Council's report on improving the enforcement of child support in the state. The report was presented to the House of Representatives' Judiciary Committee, the Governor's Commission on Child Support Enforcement and local Offices of Child Support Recovery.

Also during the year, the AOC provided services in a number of other areas. Issues identified by judicial branch personnel for improvement of the state's criminal justice system were submitted to the Governor's Criminal Justice Coordinating Council for its annual plan. A presentation on the role of the courts and the function of the AOC and Judicial Council was made to the Association of County Commissioners of Georgia. The AOC analyzed population and caseload of the judicial administrative districts to assist in an examination of the need to realign district boundaries to balance workload.

The *Jury Commissioner's Handbook* was updated for changes in Georgia law and distributed to superior court clerks. AOC data processing staff completed an internal computer support transition, installing new computers, centralizing word processing functions and implementing a new judicial personnel mailing system.

The AOC continued to provide secretariat services to six agencies and organizations. As required by statute, staff assistance was provided to the Board of Court Reporting and the Georgia Magistrate Courts Training Council. The AOC's judicial liaison officer also worked with the Council of Probate Court Judges' bylaws committee, assisted the Executive Probate Judges Council in the development of training curricula, staffed meetings of the Superior Court Clerks Training Council and aided the Council of Magistrate Court Judges in the development of their benchbook.

Board of Court Reporting

The Board of Court Reporting operates under authority of the 1974 Georgia Court Reporting Act to assist the state's judiciary by insuring proficiency in the practice of court reporting and encouraging high standards of professionalism among reporting practitioners. The board also investigates complaints filed against court reporters and administers disciplinary action when warranted. The Judicial Council appoints board members and governs official court reporting fees through regulation and adjustment of an established fee schedule.

The board conducts examinations twice annually as part of a qualifications procedure to certify court reporters in the state. Both freelance and official court reporters are required to achieve certified status or to obtain a temporary permit from the board or from a judge to practice.

Board permits are issued for a single testing period and may be extended only once at the board's discretion. Persons holding board permits may work in a freelance or official capacity. Judicial permits are issued on the signature of a judge, and these permits may be revoked by the board only with the approval of the issuing judge. Reporters on judicial permits who report more than 100 hours per year must attend the certification exams and are restricted to working in the court of the supervising judge.

The exams consist of a skills test in one of three elected methods of takedown, including machine or manual shorthand or Stenomask. Reporters must pass the "B" test, which involves dictation, transcription and a written exam, to become certified. The optional "A" test provides certified reporters an opportunity to upgrade their professional status. Individuals who pass the initial examination submit a renewal fee by April 1 of each year to remain certified.

At the two tests administered in FY'88, 24 percent of the 276 persons taking the "B" test passed and were certified. Four reporters of 19 successfully completed the "A" test.

In addition, the board issued 14 "B" certificates to Georgia reporters recognized by the National Stenomask Verbatim Reporters Association and the National Shorthand Reporters Association, since certification by these groups verifies that the reporter has been tested at or above the board's "A" level and passed.

As of June 30, 1988, there were 797 active certified court reporters in the state. Sixteen reporters held temporary judicial permits, while 71 were working on temporary board permits. The board issued 100 new temporary permits during the year.

The board dismissed two formal complaints in FY'88 because it could find no grounds for a hearing in either case. One complaint alleged that trial tapes had been destroyed in violation of the retention schedules set by the Administrative Office of the Courts. The second complaint claimed that the court reporter had refused to furnish a trial transcript.

The board took action in a number of other areas during the year. In response to a request from a court reporter, it rendered an opinion concerning ownership of deposition reproduction rights. The board concluded that "only the

parties to a lawsuit or the deponent have reproduction rights to the deposition and that a court reporter may not refuse to prepare a transcript and furnish a copy of it to either one of those persons, so long as the person requesting the copy is willing to pay for it. Nor may a court reporter prohibit either party to a lawsuit or the deponent from reproducing the copy of the deposition received from the reporter."

After reviewing its rules, the board presented several changes to the Judicial Council for approval in June. The primary changes clarified existing rules on testing. One revision provided for verification of U. S. citizenship on test applications. The board also adopted a policy on testing handicapped reporters. The Judicial Council approved the requested changes.

The board continued to oversee the certification process, making administrtive adjustments as necessary. A new written test was devised to replace two tests that had been in use for four years. The board also processed revocations and extensions of temporary permits, as well as license suspensions for court reporters who failed to renew their certificates by the deadline.

The **Georgia Certified Court Reporter's Association**, the profession's alliance for education and training, held two seminars during FY '88 in Atlanta and Savannah. The fall seminar program included a presentation on the need for court reporting services by the state Attorney General's office and a panel discussion on uniform reporting procedures. The spring seminar included segments on stress management and computers.

Seven members comprise the Board of Court Reporting and include four certified court reporters, two representatives from the State Bar of Georgia and one representative from the judiciary, who has historically been a superior court judge. The members serve two-year terms of office and the Judicial Council appoints new members to fill any vacancies which may occur. Each person is required to have accumulated at least five years' professional experience to qualify for membership. In addition to the seven members, the director of the Administrative Office of the Courts serves as secretary, and the clerk of the board performs staff functions.

Council of Juvenile Court Judges

(Annual Report for fiscal year 1988, as required by OCGA §15-11-4.)

The Council of Juvenile Court Judges is composed of all judges of the courts exercising jurisdiction over juveniles. Council membership for FY 1988 included 51 full or part-time juvenile court judges and 59 superior court judges exercising juvenile jurisdiction. Thirty juvenile court referees assist these judges in hearing cases.

Staff of the council provide assistance for judges and local court staff regarding matters of court administration, court services, probation and intake standards and procedures, foster care review, uniform dockets, automation, uniform court rules and other issues relating to the special functions of juvenile court.

Judges receive yearly certification training at biannual seminars conducted in conjunction with the Institute of Continuing Judicial Education. During the past fiscal year, 51 judges were certified by the council. A new uniform rule effective in 1988 requires referees to become certified beginning in calendar year 1989.

Special projects initiated by the council throughout FY'88 included:

1) revisions of the Uniform Rules of Practice and Procedure necessary to implement statutory changes;
2) formation of a joint committee working with the Division of Youth Services to produce intake and probation standards for Georgia's juvenile courts;
3) passage of a resolution by the council regarding removal of children from jails;
4) liaison with the Institute of Government for production of an educational video about the juvenile court;
5) a joint effort with the Division of Youth Services to prepare an informational brochure on the role of the juvenile court in addressing the needs of status offenders;
6) planning for the July 1989 meeting of the National Council of Juvenile and Family Court Judges to be held in Atlanta; and
7) establishment of a liaison committee with the Division of Mental Health to discuss issues of mutual concern.

During FY 1988, the Purchase of Services for Juvenile Offenders Program provided $200,228 to Georgia's juvenile courts for the development of community-based resources for children on probation or otherwise under the court's jurisdiction. Funding for reimbursement of local services is provided through a grant from the Governor's Juvenile Justice Coordinating Council.

The program has been instrumental in the creation of restitution and community services programs in 51 counties. Funds are also used for after-school and summer tutorial programs, counseling and diagnostic testing, temporary housing and transportation. These

local efforts provide opportunities for children to make constructive changes and remain in their communities. In FY'88, the program involved 95 counties and served 2,375 children with an average expenditure per child of $84.31.

In February 1988, the council received a $264,000 grant from the Criminal Justice Coordinating Council for the establishment of four substance abuse intervention units. The juvenile courts of Cobb, Douglas, Floyd and Gwinnett counties were selected as project sites.

The units will provide assistance to the juvenile court in identifying, assessing and evaluating adolescents under the court's jurisdiction. Each unit is funded for 12 months of operation and will handle a minimum of 200 cases. A project procedures manual was developed for the Adolescent Substance Abuse project by the council and a researcher from Georgia State University under contract with the council.

During the year, the Permanent Homes for Children program involved over 400 volunteers, appointed by juvenile court judges and trained by council staff, who monitored the progress of children in foster care in 22 counties. This 14.5 percent increase in the number of volunteers, along with the addition of two new panels, indicates strengthening citizen and community interest in the program.

Time spent by citizen volunteers totals approximately 15,000 hours annually. A computerized tracking system developed to monitor the program's operation measured 2,003 case reviews involving citizen panels in the past year.

In FY'88, the General Assembly provided the program $54,000 in state funds to continue activities such as an annual training conference for volunteers, a State Board organization and the Permanent Homes Newsletter. The newsletter is a quarterly publication which is distributed to more than 750 panel members, judges, legislators and child advocates. Funds were also used for a half-time field position, a part-time administrative assistant and a data entry clerk.

In October 1987, the council sponsored the Third Georgia Conference on Permanency Planning, "Making Panels Work for Children." The conference was held in Atlanta, with 250 volunteers and professionals attending. Participants were addressed by keynote speaker State Attorney General Michael J. Bowers.

In June 1988, Governor Joe Frank Harris presented the Permanent Homes program with the Juvenile Justice Coordinating Council's Exemplary Project Award.

The Georgia Juvenile Information System expanded from 10 to 15 counties to include Chatham, Muscogee, Spalding, Troup and Whitfield. Preliminary work was undertaken for further expansion into Gwinnett and Rockdale counties. An operator's manual and directory was made available for counties on the automated system.

The Child Information, Reporting and Tracking System (CIRTS) software produces two additional statistical reports giving the system the capability to produce detailed complaint breakdown by age, race and sex; referrals by month; filings and dispositions; treatment alternatives; and average time elapsed between juvenile court proceedings.

During FY'88, the data entry staff entered more than 10,000 juvenile complaints and dockets from non-automated counties, bringing the total number of child records on the statewide system to 25,000 on June 30, 1988. Inadequate funding for data entry has produced a backlog of case entries. During FY'88, the council was able to enter juvenile court records for only 94 of the state's 144 nonautomated counties. Continued cooperation by juvenile court clerks throughout the state has expedited implementation of the automated child recordtracking system.

For the past 10 years, the council has participated with the Division of Youth Services in a joint training project to provide training for direct service personnel of the state's juvenile courts. The project utilizes in-service juvenile justice professionals from various probation and treatment agencies as trainers to offer 39 training workshops throughout the year.

Funds for the training are provided by the federal formula grant program administered by the Juvenile Justice Coordinating Council. The project provides training in skills development, family and individual counseling and other needs of juvenile justice professionals. A total of 696 professionals were trained in the past year; 486 were employees of the Division of Youth Services and 210 were employees of independent juvenile courts.

Grant funds obtained from the Governor's Juvenile Justice Coordinating Council provided for three summer law internships with juvenile courts. Two students worked with the Juvenile Court of Chatham County and a third was placed with the Juvenile Court of Clayton County. Duties are assigned by the juvenile court judge with an emphasis on direct involvement with juveniles.

Statutes enacted by the General Assembly affecting the juvenile courts in 1988 included a measure to amend the Parental Notification Act to correct constitutional defects in the original act regarding abortions performed on minor children; an act authorizing testing of certain children for AIDS and creating new offenses related to risk of transmitting AIDS; and an act creating the Commission on Children and Youth to improve coordination and communication among child-serving agencies.

Council of Superior Court Judges

The Council of Superior Court Judges is composed of all superior court judges (137) and senior (retired) superior court judges (37). Its purpose and goals are to effectuate the constitutional and statutory responsibilities conferred upon it by law, to identify and seek solutions to problems common to all judges and to pursue matters of mutual interest in furthering the improvement of justice and the judiciary in Georgia.

During the past fiscal year, the council began an effort aimed at improving communication among the trial courts. Toward this goal, the council convened the first of a planned series of meetings with the leadership of the five trial court councils, the councils of magistrate, probate, juvenile, state and superior court judges. This initial conclave lead to the creation of a committee whose charge is to insure consistency in and vertical uniformity among the uniform rules of each court. Dubbed the "supercommittee," this group is composed of the chairpersons of each council's uniform rules committee.

During the 1988 Session of the Georgia General Assembly, the council actively sought a legislative solution to the concentration in certain circuits of death penalty habeas corpus cases. The council supported Senate Bill 99 which was designed to utilize the state's entire superior court bench as a resource to effect more rapid hearings in these cases. The statutory enactment of this bill, in OCGA §15-1-9.1, provides that the chief judge of the court in which a death penalty habeas corpus petition is filed may make a request for judicial assistance to the president of the Council of Superior Court Judges. When such a request is received, the council president shall, under guidelines promulgated by the council's executive committee, assign the case to a judge of a circuit other than the circuit in which the conviction and sentence were imposed.

The guidelines required by this statute were designed and utilized in response to at least one request for judicial assistance. The council's leadership remains committed to eliminating future delay in resolving death penalty habeas corpus petitions.

In FY 1988, the council membership continued to actively participate in improving the administration of the courts through attendance at continuing judicial education seminars. The fall 1987 seminar was attended by 102 superior and senior superior court judges; 129 judges participated in the summer 1988 seminar.

Georgia Indigent Defense Council

The Georgia Indigent Defense Council was created by an act of the state legislature in 1979. The Council is composed of 10 lawyers, one from each of the 10 judicial administrative districts in Georgia, and three laypersons from the state at large.

The Council's four statutory purposes and duties are:

1) to administer funds provided by the state and federal governments to support local indigent defense programs;
2) to recommend uniform guidelines within which local indigent defense programs will operate;
3) to provide to local programs and attorneys who represent indigents technical and research assistance, clinical and training programs and other administrative services; and
4) to prepare budget reports and management information required for implementation of the Georgia Indigent Defense Act.

During the past year, the council recommended via the judicial branch budget request that the Georgia Indigent Defense Act be funded at the level of $2.5 million for the 1990 fiscal year. The legislature has not granted appropriations to supplement county indigent defense programs since 1981. The most recent survey conducted by the U. S. Department of Justice estimates that $8.3 million was spent per annum by the state's 159 counties.

The council holds regional meetings throughout the state to explain the Indigent Defense Act, to discuss the present state of indigent defense in Georgia and to provide a forum in which county commissioners, superior court judges, legislators, bar leaders and criminal defense lawyers can discuss the workings of their indigent defense systems.

The council continues to work with the State Bar of Georgia, the Council of Superior Court Judges and the Association of County Commissioners to secure funding for the act and to improve the delivery of legal representation to indigents in each county.

Georgia Magistrate Courts Training Council

(Annual Report for calendar year 1988, as required by OCGA §15-10-134.)

The Georgia Magistrate Courts Training Council supervises continuing judicial education requirements for magistrate court judges by prescribing minimum standards for curricula and criteria for magistrate training. Specifically, the council approves instructor qualifications and issues training certification to chief magistrates and magistrates who satisfactorily comply with established programs.

Nonlawyer magistrates who are newly elected or appointed must attend the first scheduled certification course after assuming office and successfully complete 40 hours of basic training in the performance of their duties. In order to maintain certified status, all magistrates (including those who practice law) must fulfill an annual 20-hour training requirement.

In association with the council, the Institute of Continuing Judicial Education (ICJE) sponsored a two-part, 40-hour seminar and eight 20-hour regional training sessions for magistrates during the 1988 calendar year (see table to the right). The council compressed its former April-to-November training schedule into a three-month period (May-August), offering courses at two-week intervals. A total of 200 credit hours were administered in certifying 391 magistrate court judges.

For the second time, the council gave certification credit for successful completion of training administered in Georgia by a national training organization. Twenty magistrates elected to attend a one-week, nationally-based course in Athens sponsored by the American Academy of Judicial Education. This 40-hour course for attorney magistrates was conducted in lieu of a regular recertification course for 20 hours of credit.

Magistrates attending the initial segment of the 40-hour program took part in a variety of training modules, including the magistrate's role in criminal law enforcement, criminal law and procedure, arrest and search warrant issuance, bail and first appearance preliminary hearings, legal research, bad check law, contempt powers and judicial ethics. Twenty-hour participants received instruction on updates in civil and criminal law, evidence, landlord and tenant, family violence and judicial ethics.

For the first time since mandatory training was instituted for magistrates, these judges were not required to complete examinations of the course material. Instead, the council experimented with a self-graded pretest administered at the beginning of the course which was used by the participants throughout the program to discuss solutions to issues raised in class. A number of professionals, including a doctor, lawyer, professor, court administrator, and law librarian assisted judges in the instruction of the magistrates.

Participants were charged a $100 tuition fee, payable by their counties, which entitled them to training materials and a selection of legal publications to complement their law libraries. Each magistrate received a copy of the *Law Enforcement Handbook* (Title 16 of the Official Code of Georgia Annotated) and *Landlord-Tenant Law* (Dawkins).

For their legal publications, magistrates chose between supplements to the unannotated state code; the latest index, tables and supplements to the code; or titles from an optional book list.

The council met three times during 1988—in January, March, and October—and conducted two meetings via teleconference to review and administer its training policy.

The council voted to allow previously certified magistrates to attend the 40-hour certification course if they expressed a desire to participate in a refresher course of basic concepts of the magistrate court. A committee of magistrates and clerks began planning the program for a one-day training workshop which will be conducted by satellite downlink for magistrate court clerks in March 1989.

Georgia Magistrate Courts Training Council: 1988 Seminars

Date	Location	Hours	Attendees
February 17–19	Athens	20/40	—
May 11–13	Tifton	20	57
May 25–27	Athens	20	49
June 8–10	Savannah	20	61
June 22–24	Forsyth	20	43
July 6–8	Athens	20	52
July 20–22	Marietta	20	46
August 22–26*	Savannah	20	20
September 7–9	Athens	20/40	20

*One-week course sponsored by American Academy of Judicial Education

Institute of Continuing Judicial Education

In coordinating training programs for judicial branch officials in fiscal year 1988, the Institute of Continuing Judicial Education (ICJE) individually and jointly sponsored 32 activities serving 2,094 constituents. It was the first time ICJE programmed to more than 2,000 constituents. Among state and national judicial education agencies, only those in California, Michigan and New York routinely serve as many individuals.

As an administrative arm of the Supreme Court, the Institute has retained sole responsibility for the training of all judicial branch personnel since 1981. The various courts and judges' councils have since adopted training standards for their members. Supreme Court justices and Court of Appeals judges must complete a minimum of 12 hours of actual instruction each year, with at least two hours in the area of legal or judicial ethics.

Superior court judges are required to attend judicial education programs totaling at least 12 hours per year, including two hours of judicial ethics every two years. Rule 43 of the Uniform State Court Rules mandates that state court judges attend continuing legal and/or judicial education courses amounting to 24 hours, two of which must be devoted to ethics studies, every two years.

As prescribed by the Executive Probate Judges Council, probate court judges must complete 20 hours of initial training and 15 hours of continuing education thereafter. By law, magistrate court judges must satisfactorily fulfill an initial 40-hour training requirement (attorney magistrates are exempt) and attend an annual 20-hour recertification course. Superior court clerks are also required to complete 40 hours in basic certification and 15 hours in recertification training courses.

During FY'88, the Institute offered its traditional annual calendar of training events, with the biannual specialty course for trial judges and an expanded training course for instructor judges of the magistrates' certification course highlighting the regular schedule. The calendar was augmented with programs targeting three new constituent groups: jury commissioners, administrative law judges of executive branch agencies and workers' compensation judges.

Two experimental projects were undertaken during FY'88. ICJE followed up on its earlier survey of training needs of workers' compensation administrative law judges by conducting the first training event for these judges. Another program, the FY'88 specialty course, was mutually conducted with Florida Judiciary Education and focused upon medical issues confronting state trial courts in the 1980's and 1990's. This latter effort enriched the course development funding pool and the in- terpersonal experience for attendees.

Regional seminars for traffic court (usually municipal court) judges and clerks, initially executed in FY'87, were redeveloped using satellite teleconferencing. The teleconference emanated from Athens to nine regionally dispersed downlink sites across Georgia, and, due to its success, ICJE is actively studying expanded use of teleconferencing as an instructional tool to reach participants more efficiently.

Faculty members of Georgia's accredited law schools (Emory, Georgia, Georgia State and Mercer) provided valuable public service instructional time to the Institute. Judges performed the bulk of instructional duties throughout the year, reemphasizing the collegial, peer enrichment character of continuing judicial education. Faculties serving in the basic and recertification courses for magistrates were exposed to an expanded instructional training course to learn about educational program design and course development.

Superior court judges continued to perform a significant instructional role in the statutorily mandated training for magistrates. At each regional seminar during FY'88, a local superior court judge conducted the three hour instructional block devoted to an aspect of evidence law, targeting forms of inquiry, presumptions based on public policy and privileges.

State-based training comprises ICJE's foremost educational responsibility. (The table on page 37 lists the Institute's state-based activities performed during FY'87-88, identifying the constituent group served, the course title, the date and the number of attendees for each program.)

The mandatory training sessions for magistrates, both the 40-hour basic course and the 20-hour recertification programs, were again conducted to audiences limited to 60 participants. While this necessitated a greater number of course offerings, it facilitated a thorough and relevant learning environment for attendees, provided a more academic climate for instructors and promoted regionalized execution of the curriculum, saving time and travel expense funds.

The Institute also sponsored persons attending out-of-state training programs held by nationally recognized judicial education agencies. Of 54 applications received in 1986-87 for financial aid to attend nationally-based training, 51 were granted some level of funding, while 47 individuals actually took advantage of this assistance. Out-of-state training was

approved for attendance at the National Judicial College, the Institute for Court Management and the American Academy of Judicial Education, and for programs sponsored by the National Council for Family and Juvenile Court Judges and the National Restitution Resource Center.

Training funds were used to support the training of 25 superior court judges, 7 state court judges, 4 juvenile court judges and/or referees, 1 chief magistrate, 6 court administrative personnel, 1 deputy clerk and 3 probation personnel.

The FY'88 state appropriation for the Institute totaled $475,173, an increase of 45% over FY'87 funding. These funds were augmented in the fall of 1987 with a $29,000 grant awarded by newly created, national State Justice Institute to research trial court judges' writing tasks and to develop a series of instructional modules aimed at better equipping judges to fulfill those tasks. It is the first time a trial judges' writing program has been formulated upon a study of the functions of trial judges' writing and their vocational needs.

For the first time in five years, some attendee mileage expenses were reimbursed to program participants. Mileage reimbursement was made in approximately 50% of the Institute's activities, due to a 1987 funding provision to cover this attendee expense.

In February 1988, ICJE's executive director was honored for excellence in public service by the University of Georgia's Division of Public Service and Extension, which presents awards to faculty on the basis of peer evaluation of a candidate's work.

Members of the board of trustees of the Institute of Continuing Judicial Education primarily represent client groups of courts and judicial organizations in the state and include one judge of the Court of Appeals; two members of the Council of Superior Court Judges;

Institute of Continuing Judicial Education
FY 1988 State-based Instructional Activities

Program	Location	Date	Attendees
20-Hour Recertification Course for Magistrate Court Judges	Athens	July 15-17, 1987	54
Summer Seminar for Superior Court Judges	St. Simons Island	July 27-29, 1987	128
Seminar for Non-Lawyer Judges*	Athens	August 2-14, 1987	28
Jury Commissioners' Seminar	Athens	August 21-22, 1987	107
Traffic Adjudication Seminar	(Teleconference)	Sept. 1, 1987	203
20-Hour Recertification Course for Magistrate Court Judges	Marietta	Sept. 2-4, 1987	46
Independent Juvenile Court Probation Officers	Unicoi	Sept. 21-23, 1987	68
20-Hour Recertification Course for Magistrate Court Judges	Forsyth	Sept. 30-Oct. 2, 1987	33
Superior Court Judges Fall Seminar	Forsyth	October 21-23, 1987	102
Court Administrators Fall Seminar	Forsyth	October 21-13, 1987	18
Fall Seminar for Executive Agency Administrative Law Judges and Hearing Officers	Athens	October 28-30, 1987	68
20-Hour Recertification Course for Magistrate Court Judges	Savannah	Nov. 4-6, 1987	47
State Court Judges Fall Seminar	Unicoi	Nov. 11-13, 1987	40
Superior Court Clerks Fall Seminar	Savannah	Nov. 17-19, 1987	131
Probate Court Judges Fall Seminar	Savannah	Nov. 17-19, 1987	89
Juvenile Court Judges Fall Seminar	Albany	December 2-4, 1987	55
Specialty Course**	Savannah	February 7-10, 1988	29
40-Hour Basic Course for Magistrate Court Judges (Criminal)	Athens	February 17-19, 1988	25
Workers' Compensation Judges Spring Seminar	Athens	March 21-23, 1988	22
Faculty Development Seminar	Athens	March 21-23, 1988	18
Superior Court Clerks Spring Seminar	Cordele	April 13-15, 1988	149
Probate Court Judges Spring Seminar	Athens	April 20-22, 1988	124
Juvenile Court Judges Spring Seminar	St. Simons Island	April 25-27, 1988	70
Spring Corrections Tour	Macon	May 4-6, 1988	4
Independent Juvenile Court Probation Officers	Savannah	May 4-6, 1988	70
20-Hour Recertification Course for Magistrate Court Judges	Tifton	May 11-13, 1988	64
State Court Judges' Spring Seminar	St. Simons	May 16-18, 1988	63
20-Hour Recertification Course for Magistrate Court Judges	Athens	May 25-27, 1988	60
Judicial Secretaries Seminar	Atlanta	June 1-3, 1988	67
20-Hour Recertification Course for Magistrate Court Judges	Savannah	June 8-10, 1988	55
20-Hour Recertification Course for Magistrate Court Judges	Forsyth	June 22-24, 1988	47

*Held in conjunction with the American Academy of Judicial Education

**Sponsored jointly with Florida Judiciary Education

one member each of the councils of state, juvenile, probate and magistrate court judges; one representative of the Superior Court Clerks Association; one member each of the State Bar of Georgia and the Judicial Council; and five ex officio members, including the immediate past chairmen of the Institute's board of trustees and the board of trustees of the Institute of Continuing Legal Education and deans of the state's four accredited law schools. A liaison member representing the Supreme Court and an advisory member also serve on the board.

Judicial Administrative Districts

The Judicial Administration Act of 1976 established 10 judicial administrative districts in Georgia and created district councils, composed of all superior and senior superior court judges within the respective districts. These 10 regional councils elect administrative judges who serve on the Council of Administrative Judges, formed to provide unified administrative rules and continuity of operation among districts. Each administrative judge selects a district court administrator to serve as staff for the judges of the district.

Under the guidance of the administrative judges, the district court administrators were involved in a number of activities in fiscal year 1988. The collection and evaluation of data relevant to the operation and management of the trial courts were continued. Support was provided to the administrative judges in the authorization and assignment of judges within the districts and judges were secured from inside individual districts to serve elsewhere at the request of other administrative judges and the governor.

The district staff functioned as liaison between the superior courts and local governmental officers, officials of court related agencies and others on the local and regional level. The staff also assisted chief judges in the preparation, presentation and management of local court budgets. A number of innovative circuitwide budgets were formulated and administered by the districts. Additionally, personnel policies and procedures for local court systems were developed, and the court administrators screened and interviewed applicants for law clerk, court reporter and other court support positions.

District staff assisted chief judges and clerks in local jury management projects and coordinated jury management services provided by other court agencies and vendors. Jury selection was automated in many circuits during the last fiscal year. Technical assistance was provided in the revision of county jury boxes.

The district court administrators advised local courts on records management in the development of programs and coordinated records management or technical assistance services provided to local courts by other state agencies and vendors. Major emphasis was placed on the computerization of court records in counties with sufficient resources. The district staff consulted with local trial courts in the areas of space and facilities management, including serving as liaison with architects and contractors during the construction and renovation of courthouses.

The administrative judges authorized assistance to local trial courts, bar associations and governmental units in the survey, funding, creation and oversight of indigent defense programs. Several district court administrators served on local tripartite committees within their districts.

As specified by the Uniform Rules of the Superior Courts and authorized by the chief judges, district staff conferred with attorneys, media representatives, court staff, law enforcement personnel and the general public regarding court activities. This function included the preparation of news releases, speeches for civic groups and educational programs and other public relations activities deemed appropriate by the administrative judges.

The district court administrators prepared grant applications, managed grant programs and evaluated funded projects in order to provide assistance to local trial courts and assist local governments in meeting the needs of the superior courts. Examples of these projects include the Neighbor-to-Neighbor Arbitration Project, the Court Delay Reduction Program and the Case Disposition Monitoring System.

District staff served as the local resource for information on educational programs and activities for superior court judges and other judicial support personnel. The district personnel jointly sponsored with the Institute of Continuing Judicial Education the first jury commissioners seminar held in the nation. Additionally, orientation sessions for jury commissioners and seminars for courtroom bailiffs were conducted on a local basis.

The district court administrators were involved in special projects and committees as assigned by their administrative judges in regard to the activities of the Council of Superior Court Judges, the Judicial Council of Georgia and the Criminal Justice Coordinating Council. Special studies were conducted to develop an indigent defense program for an urban county and to review the operations of the inferior courts of another urban county.

Judicial Nominating Commission

The Judicial Nominating Commission assists the governor with his duty to appoint highly qualified persons to judicial office by soliciting nominations for judgeships filled by gubernatorial selection. The nominating procedure is often undertaken to fill judicial vacancies, although nominations may also be processed in designating candidates for newly created judgeships.

Certain qualifications must be met prior to consideration of any candidate for judicial office. While the requisites vary according to the type of court, most candidates must meet a residency and age requirement. Judges of appellate and superior courts must have maintained an active membership in the state bar for seven years, and state and juvenile court judges must be admitted to practice law in the state for at least five years. Qualifications for all judges are specified either in the state constitution or in pertinent statutes (see reviews of particular courts, pp. 7-26, for more detail).

The commission begins the selection process by seeking nominations from local individuals and leaders among the civic and legal communities. The commission members evaluate each candidate based on a questionnaire concerning his or her qualifications and a legal article or brief which the candidate has authored. The nominees are then investigated through interviews with attorneys familiar with them and by personally interviewing the candidates themselves.

The nominating body held meetings on four days in FY'88 to consider candidates for nine judicial offices, including two new superior court judgeships and one superior court vacancy, four new state court judgeships and one state court vacancy and one vacancy on the Civil Court of Richmond County. Since 1973, the commission has acted on a total of 167 judgeships, including:

- 10 Supreme Court vacancies
- 2 Court of Appeals vacancies
- 99 superior court offices
- 42 state court posts
- 2 municipal court judgeships
- 2 civil court vacancies.

Originally created by executive order of former Governor Jimmy Carter and continued in the same manner by succeeding governors, the commission is composed of ten members. Five are persons appointed to serve a term concurrent with that of the appointing governor, and the other five are or have been elected officers of the state bar, including the president, two successive past presidents and the president-elect and president of the younger lawyers section.

Judicial Qualifications Commission

The Georgia Constitution empowers the Judicial Qualifications Commission to respond to inquiries from judges regarding appropriate judicial conduct, to direct investigations into complaints involving members of the state judiciary and, when it deems necessary, to hold hearings concerning allegations of judicial misconduct.

Grievances involving judges are almost always initiated by a written, verified complaint, although the commission may act upon its own motion in cases where it considers such action appropriate. Alleged violations of misconduct or protests against judges must be based on one of the seven canons of the Code of Judicial Conduct, last revised March 15, 1984. Grounds for action include:

1) willful misconduct in office,
2) willful and persistent failure to perform duties,
3) habitual intemperance,
4) conduct prejudicial to the administration of justice which brings the judicial office into disrepute, and
5) disability which seriously interferes with the performance of judicial duties and which is or is likely to become permanent.

If, following acknowledgement and review of a complaint, the commission finds that it raises questions or justifies further action, the judge is sent a copy of the complaint or a synopsis of matters to be investigated and is given reasonable opportunity to make an oral or written statement either personally or through counsel. If the judge responds satisfactorily to the complaint, it is disposed. The

Synopses of FY 1988 JQC Opinions

Opinion 101: Any employee of a law enforcement body is disqualified by conflict of interest from serving as a magistrate.

Opinion 102: While employment to lecture on the law is not inappropriate for a judge, great care must be exercised to avoid any arrangement which might give the impression that the prestige of the office is being used to advance the private interests of another, or that it is being exploited to increase the compensation of the judge. For that reason, to the extent that the proposed arrangement contemplates that compensation is to be based on a percentage of profit or on the number attending, it would not be appropriate.

Opinion 103: Directors of Georgia Legal Services Program are not involved in providing legal services or raising funds, nor does the organization have issues before the magistrate court and, for that reason, a part-time magistrate may serve as a director provided such service does not interfere with the performance of his duties as magistrate.

Opinion 104: The commission declines to render an advisory opinion on a motion pending before the court in ongoing litigation.

Opinion 105: Participation by the chief judge of the Atlanta Municipal Court on an advisory board formed to review and advise concerning the operation of the court would not violate any of the canons unless participation by the judge interferes with the proper performance of his judicial duties, or is such as to cast doubt on his capacity to decide impartially any issue that may come before him.

Opinion 106: It is not inappropriate for a candidate for judicial office to select members of his campaign committee, or discuss with them the magnitude of campaign financial arrangements, and to thereby establish goals for them so long as these discussions do not involve solicitation or coercion, but the judge cannot set specific fund raising responsibility for members of the committee, nor have direct participation in the solicitation process.

Opinion 107: Representation of a defendant in a criminal case by a part-time judge is not per se inappropriate, but the regular or exclusive representation of such defendants by a judge might destroy his appearance of impartiality and, therefore, make it inappropriate.

Opinion 108: A judge cannot be a delegate to a political convention, as this would constitute a violation of Canon 7A.

Opinion 109: A part-time judge may serve as county attorney, if such representation does not involve a matter where he has served as judge, a matter then pending in his court or a matter which he knows, or has reason to believe, will later be brought into his court.

Opinion 110: It would not be inappropriate for a judge to participate in a TV documentary on athletics and drug and alcohol abuse at the high school level dealing with a former high school athlete who committed criminal offenses and is now incarcerated under a sentence imposed by the judge after the time for appeal has passed, and with no matters with reference to the case pending before the court.

Opinion 111: The appointment of a retired senior superior court judge as judge of a municipal court would not constitute a violation of the Code of Judicial Conduct but might result in suspension of the senior judge from that position while holding the office of municipal court judge.

Opinion 112: It is not per se inappropriate for a chief magistrate to appoint as a magistrate a lawyer who is the spouse of an assistant district attorney in the judicial circuit.

Opinion 113: Subject to certain assumptions and limitations set out in the opinion, it is not inappropriate for the Worker's Compensation section of the State Bar to reimburse administrative law judges for lodging expenses incurred at the October seminar of the section and the June meeting of the State Bar.

Opinion 114: It would not be appropriate for a judge pro tem of a municipal court to also serve as an instructor in a state certified driver improvement clinic, because of the potential conflict of interest.

Opinion 115: It would not be proper for a judge to serve on the advisory panel of an organization known as "End Violence Now," because judges should not become associated as activists with particular causes. Attendance by a judge at an educational seminar for prosecuting attorneys or for defense attorneys would not be per se improper, but regular or exclusive attendance at either over an extended period might create an appearance of bias and impropriety in violation of Canon 2 and become inappropriate.

Opinion 116: An assistant magistrate would be disqualified to preside over the trial of a defendant whose attorney is the brother of the chief magistrate who issued the warrant and who appointed the assistant magistrate.

Opinion 117: It would not be appropriate for a judge to write an endorsement of a Council on Child Abuse for enclosure in a letter soliciting contributions.

Opinion 118: The solicitor of a state court need not resign to become a candidate for judge of that court, but officers of political parties should resign these positions upon becoming candidates for judicial office.

Opinion 119: The fact that a defendant violator has been represented by the judge or his law firm at some time in the past is not per se grounds for disqualification, but, if the judge in fact has any personal bias or prejudice, he should disqualify on his own initiative.

Opinion 120: A person who has pled nolo to a charge of malpractice in office is not eligible to run for the office of chief magistrate. A person can be employed as deputy sheriff and run for chief magistrate at the same time. It is a violation of Canon 7 for a judge to distribute cards saying "Campaign donations appreciated."

Opinion 121: It is not improper for a pro tempore judge of a city recorders court, while acting as attorney for a divorce client seeking past due child support, to garnish the wages of a city employee with the city named as the garnishee.

Opinion 122: Administrative law judges and hearing officers, who hear and decide contested cases for state and local executive branch agencies, are subject to the Code of Judicial Conduct.

Opinion 123: A pro hac judge may not act as treasurer of the campaign committee formed to help reelect another judge in view of the provisions of Canon 7A(1).

commission may make an initial inquiry and may authorize a preliminary investigation of the judge's conduct or condition to determine whether formal proceedings should be instituted and a hearing held.

After a formal hearing, the commission may recommend to the Supreme Court the removal, discipline or retirement of a judge. The Supreme Court makes a final decision whether to accept, reject or modify the commission's recommendation about a particular judge. A 1985 amendment to the constitution further provides that a judge who has been indicted for a felony may be suspended from office, pending final disposition of the case or until expiration of the term of office, whichever occurs first, if the commission concludes that the indictment relates to and adversely affects performance of the judge's official duties.

At its 11 regular meetings in fiscal year 1988, the commission resolved 139 complaints and requests for opinions of the 139 new matters filed and 16 pending from FY'87. At year end, 16 issues remained pending.

One hundred and seven complaints were disposed for the following reasons: a) dismissed as frivolous, unfounded, unsupported or appropriate for appeal (94), b) judges privately reprimanded (9), c) judges suspended (2), d) judge suspended after indictment (1), e) judge resigned after complaint filed (1). The commission held hearings on formal proceedings against two judges and recommended public reprimands and suspensions without pay for one month and two months, respectively. The Supreme Court approved the one month suspension, reduced the latter suspension to 30 days and rejected both recommendations for public reprimand.

The known sources of FY'88 complaints were varied and include 88 litigants or their relations, 3 non-litigants, 3 public officials or officers, 15 attorneys, 2 judges, 5 anonymous individuals and 6 others.

The commission received 27 requests for advisory rulings during the year. Twenty-three formal opinions and two informal opinions were rendered, while three applications for opinions were denied and two were withdrawn.

The seven-member Judicial Qualifications Commission operates under procedural rules revised as of May 1, 1985. All proceedings of the commission, including complaints, conferences, communications and decisions, are confidential, with the exception of notice of a formal hearing, formal hearings, reports recommending discipline and decisions after a hearing when a judge was found not guilty of misconduct.

The members of the commission include two judges of courts of record appointed by the Supreme Court, three attorneys named by the Board of Governors of the State Bar of Georgia and two citizens selected by the governor. A director and an investigator serve as the commission's staff.

Superior Courts Sentence Review Panel

Georgia's Superior Courts Sentence Review Panel has operated since 1974 to uphold a defendant's right to have his or her sentence reviewed to determine excessive harshness in relation to other sentences for a similar crime. In comparing sentences, the panel considers the nature of the crime and the defendant's prior criminal record.

Cases subject to the panel's jurisdiction are those sentences totaling five or more years set by a superior court judge without a jury, except cases in which the death penalty is imposed, sentences set in misdemeanor cases and murder cases where a life sentence has been applied. The panel retains the authority only to reduce sentences and is statutorily prohibited from increasing punishments, reducing sentences to probation or suspending any sentence.

The Sentence Review Panel reviews sentences upon application of a defendant who must act within 30 days of the date on which the sentence was assessed by the superior court judge, or after the remittitur from the Court of Appeals or Supreme Court affirming the conviction of the sentencing court, whichever occurs last. The application for sentence review must be transmitted to the panel within 10 days of its filing, along with copies of any presentence or post-sentence report. Both the defendant and the district attorney have the right to present written argument relative to the harshness or justification of the sentence.

A defendant may not file more than one application for review of a sentence, and the panel's action reducing or declining to re-

duce a sentence is not reviewable. Panel orders relating to an application are binding on the defendant and the superior court which imposed the sentence.

The panel affirmed 2,273 cases and reduced 87 cases in FY'88 for a total caseload of 2,360. The reduction rate for the year was 3.69 percent.

The cumulative reduction rate decreased further to 5.15 percent (for all 23,882 cases considered by all panels) in the last quarter of FY'88 from 5.32 percent at the end of fiscal year 1987. Listed above is a summary of the panel's caseload for FY'88 along with a 10-year comparison of cases reviewed by the panel.

The Sentence Review Panel meets in two concurrent panels, each composed of three superior court judges. Panel members are appointed and chairpersons are designated by the president of the Council of Superior Court Judges to serve three-month terms. A supernumerary member is also appointed for each term and is authorized to substitute for any member who cannot attend a meeting or who is disqualified.

An administrative board of three judges serves to maintain continuity between the various panels. The board prepares an annual budget, considers revisions to the panel's procedural rules and supervises the activities of the clerk and support staff.

Superior Courts Sentence Review Panel Caseload Summary

FY 1988 Caseload

	Cases affirmed	Cases reduced	Cases reviewed	Percent reduced
Panel 53	293	19	312	6.09
Panel 54	616	25	641	3.90
Panel 55	728	37	765	4.84
Panel 56	636	6	642	0.93
Total	2,273	87	2,360	3.69

10-year Comparison of Cases Reviewed

	Cases affirmed	Cases reduced	Percent reduced
FY 1979	1,134	101	8.18
FY 1980	1,228	90	6.83
FY 1981	1,542	145	8.60
FY 1982	1,846	136	6.86
FY 1983	2,359	88	3.60
FY 1984	2,335	119	4.85
FY 1985	2,137	100	4.47
FY 1986	1,769	67	3.65
FY 1987	2,485	63	2.47
FY 1988	2,273	87	3.69

Appendix I

Judicial Personnel Changes: FY 1988

Appointments

Superior Courts

Brunswick Judicial Circuit
James R. Tuten, Jr., for term 7/14/87 to 1/1/89.

Cobb Judicial Circuit
Robert E. Flournoy, Jr., for term 7/14/87 to 1/1/89.

Griffin Judicial Circuit
Paschal A. English, Jr., for term 7/9/87 to 1/1/89.

Gwinnett Judicial Circuit
Richard T. Winegarden for term 7/9/87 to 1/1/89.

Ocmulgee Judicial Circuit
John Lee Parrott for term 12/14/87 to 1/1/89.

State Courts

DeKalb County
Linda Warren Hunter for term 7/7/87 to 12/31/88.

Mathew Robins for term 7/7/87 to 12/31/88.

Gwinnett County
Paul M. Hoffman for term 8/24/87 to 1/1/89.

Fred A. Bishop, Jr., for term 8/24/87 to 1/1/89.

Jackson County
Jack S. Davidson for term 3/16/88 to 1/1/89.

Muscogee County
John D. Allen for term 7/14/87 to 1/1/89.

Rockdale County
Sidney L. Nation for term 7/7/87 to 12/31/88.

Juvenile Courts

Heard County
Dock Davis for term 1/22/88 to 1/22/92.

Terrell County
Joe C. Bishop for term 1/7/88 to 1/7/92.

Probate Courts

Clay County
Grace B. Mathis for term 10/1/87 to 1/1/89.

Lanier County
R. O. Berryhill for term 3/31/88 until successor elected.

Chief Magistrates

Candler County
Betty Carroll for term 5/9/88 to 12/31/88.

Carroll County
Ralph L. Van Pelt for term 10/16/87 to 12/31/89.

Fulton County
Joann Bayneum for term 7/1/87 to 12/31/87.

Gwinnett County
Warren Davis for term 9/4/87 to 12/31/88.

Hancock County
Ben Lovejoy, III, for term 1/1/88 to 12/31/88.

Houston County
Joann B. Cooper for term 12/1/87 to 12/31/88.

Madison County
Doris Shell for term 11/30/87 to 12/31/90.

Meriwether County
Jack A. Todd for term 4/1/88 to 12/31/91.

Analysis of Statewide Judicial Manpower
(July 1, 1987 to June 30, 1988)

Court	Total number judgeships	Method of selection: Elected	Appointed	New judgeship	Total judges beginning first terms	Reason for leaving: Resigned	Not reelected/Not a candidate	Died	Total judges leaving the bench
Supreme Court	7	-	-	-	0	-	-	-	0
Court of Appeals	9	-	-	-	0	-	-	-	0
Superior Courts	137	-	1	4	5	1	-	-	1
State Courts Full and part-time	86	-	3	4	7	3	-	-	3
Juvenile Courts Full and part-time	51	-	2	-	2	1	-	1	2
Probate Courts	159	-	2	-	2	2	-	-	2
Magistrate Courts Chief Magistrates	159	-	7	-	7	2	-	-	2

[1] As of June 30, 1988.
[2] Total number of judges leaving the bench does not match total number of new judges in some instances because of new appointments or vacancies which existed at the end of the fiscal year.
[3] Although 137 superior court judgeships had been allocated by the end of the year, 135 had been filled.